



BEFORE THE MADURAI BENGH OF MADRAS HIGH COURT

DATED: 03.10.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.14019 of 2019

1. Siva @ Antony siva
2. Kawaskar @ Antony Kawaskar
3. Vasanth @ Antony Vasanth
4. Kapil @ Kapil Raja

... Petitioners

Vs

1. The Deputy Superintendent of Police,
Thiruchendur
Thoothukudi District

2. The State rep. b y its
The Inspector of Police
Thiruchendur Taluk Police Station
Thoothukudi District

3. Kannimuthu

4. Muthukarthik

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Special Court for PCR cases, Tirunelveli District to consider the petitioners bail application on their surrender on the same day in Crime No. 295 of 2019 on the file of the respondent police.

For Petitioners : Mr.S.R.Anbarasu

For Respondents : Mr.K.Suyambulinga Bharathi,
G.A. (Crl. Side) for RR1 and 2

O R D E R

This petition is filed for a direction to direct the Special Court for PCR cases, Tirunelveli District, to consider the bail petition of the petitioners on the same day of surrender and dispose the same on merits and in accordance with law in crime No.295 of 2019 on the file of the 2nd respondent.

2. In view of the specific bar under Section 18 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and also taking into consideration the possibility of misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the Special Court for PCR cases, Tirunelveli District, to consider the petitioners bail



application, preferably on the same day of their surrender in connection with Crime No. 295 of 2019 on the file of the 2nd respondent and pass appropriate orders in accordance with law after affording due opportunity to the victim under Section 15(a) of the SC/ST Act. The petitioners shall surrender before the concerned jurisdictional Court within a period of fifteen days from the date of the receipt of a copy of this Order.

3. In view of the above, the Criminal Original Petition stands allowed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Special Court for PCR cases, Tirunelveli District
- 2.The Deputy Superintendent of Police,
Thiruchendur
Thoothukudi District
3. The Inspector of Police
Thiruchendur Taluk Police Station
Thoothukudi District
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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