



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.09.2019

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.13866 of 2019

Esakkimuthu @ Esakki

... Petitioner/ 2nd Accused

Vs

1.The Deputy Superintendent of Police,
Srivaikundam
Tuticorin District.

... 1st Respondent/
Investigation Officer

2. The State Rep. by its
The Inspector of Police
Alwarthirunagari Police Station
Tuticorin District.
Crime No. 155 of 2019

... 2nd Respondent/ Complainant

3.K.Ramakrishnan

... 3rd Respondent/ Defacto- Complainant

4.Aarthi Kumar

... 4th Respondent/ Injured

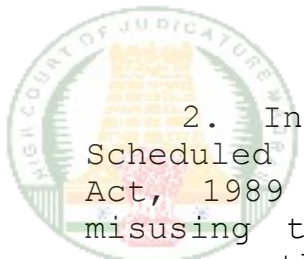
PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned 2nd Additional District and Sessions Judge, (PCR Court) Tirunelveli to consider the bail application of the petitioner on the very same day of his surrender and to release him to bail on the very same day itself, in connection with the FIR in Crime No.155 of 2019 on the file of the second respondent police.

For Petitioner : Mr.M.S.Jeyakarthick

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 learned 2nd Additional District and Sessions Judge, (PCR Court) Tirunelveli to consider the bail petition of the petitioner on the same day of surrender and dispose the same on merits and in accordance with law in crime No.155 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 learned 2nd Additional District and Sessions Judge, (PCR Court) Tirunelveli , to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 155 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 petitioner 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 (P&A)

// True Copy //

Sub Assistant Registrar

To

1.The II Additional District and Sessions Judge, (PCR Court)
Tirunelveli

2.The Deputy Superintendent of Police,
Srivaikundam
Tuticorin District

3. The Inspector of Police
Alwarthirunagari Police Station
Tuticorin District

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S. JEYAKARTHIK, Advocate (SR-90476[F] dated 30/09/2019

Order made in
CRL.O.P (MD) No.13866 of 2019
30.09.2019

aav

MS/01.10.2019/2P.6C