



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.14045 of 2019

WEB COPY

Vivek

... Petitioner

Vs

1.The Deputy Superintendent of Police,
Thirupathur
Sivagangai District

2.The Inspector of Police
Thirukostiur Police Station
Sivagangai District

3.Muruganantham

4. Ragu

5.Alagumathi

6. Gracee

7.Boopathi

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Sessions Judge, Special Court for Exclusive Trial of Cases under SC/ST(POA) Act, 1989, Sivagangai to consider the bail application of the petitioner on the very same day of surrender and to release him on bail on the very same day itself in connection with the FIR in Crime No. 107 of 2019 on the file of the second respondent police.

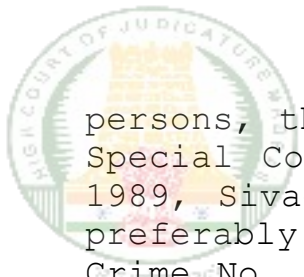
For Petitioner : Mr.M.S Jeyakarthik

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 Sessions Judge, Special Court for Exclusive Trial of Cases under SC/ST(POA) Act, 1989, Sivagangai 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.107 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 of the possibility of malicious intention of the Parliament against innocent



persons, there shall be a direction to the learned Sessions Judge, Special Court for Exclusive Trial of Cases under SC/ST(POA) Act, 1989, Sivagangai , to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 107 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 (CO)

// True Copy //

Sub Assistant Registrar (CS)

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To

1.The Sessions Judge, Special Court for Exclusive Trial of Cases under SC/ST(POA) Act, 1989, Sivagangai

2.The Deputy Superintendent of Police,
Thirupathur
Sivagangai District

3.The Inspector of Police
Thirukosthur Police Station
Sivagangai District

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

+1 CC to M/s.M.S.JEYAKARTHIK, Advocate (SR-91236[F] dated 04/10/2019)

Order made in
CRL.O.P (MD) No.14045 of 2019
03.10.2019

_KM/ (04.10.2019) 2P 6C