



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.10.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.14889 of 2019

1. Subash
2. Sundara Nainar
3. Sudalaimuthu @ Suresh ... Petitioners/Accused 1 to 3
Vs

1. The Deputy Superintendent of Police,
Thalayuthu, Tirunelveli District

2. The Inspector of Police
Tirunelveli Taluk Police Station
Tirunelveli District (Crime No.352 of 2019)...1st and
2nd Respondents/Complainants

3. Tamil Selvan ...3rd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the II Addl. Dist and Sessions Judge-cum-PCR Court (Spl.Court for SC and ST (PoA) Act, 1989), Tirunelveli District to accept the surrender of the petitioners and consider the petitioners bail application and grant bail on the same day of surrender itself in Crime No.352 of 2019 dated 11.10.2019, on the file of the 2nd Respondent.

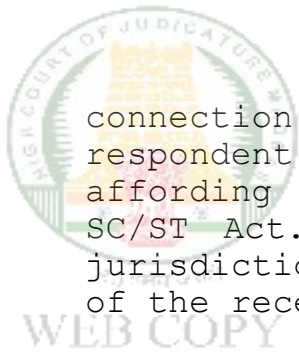
For Petitioners : Mr.P.M.Vishnuvarthanan

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 II Addl. Dist and Sessions Judge-cum-PCR Court (Spl.Court for SC and ST (PoA) Act, 1989), 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.352 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 II Addl. Dist and Sessions Judge-cum-PCR Court (Spl.Court for SC and ST (PoA) Act, 1989), Tirunelveli District, to consider the petitioners bail application, preferably on the same day of their surrender in



connection with Crime No. 352 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 (AD I)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The II Addl. Dist and Sessions Judge-cum-PCR Judge
(Spl.Court for SC and ST (PoA) Act, 1989),
Tirunelveli District
- 2.The Deputy Superintendent of Police,
Thalayuthu, Tirunelveli District
- 3.The Inspector of Police
Tirunelveli Taluk Police Station
Tirunelveli District
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.P.M.VISHNUVARTHANAN, Advocate (SR-93361[F] dated 21/10/2019)

Order made in
CRL.O.P (MD) No.14889 of 2019
21.10.2019

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