



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.11.2019

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.16027 of 2019

1. Ramar
2. Neelakandan
3. Lakshmanan @ Suresh ... Petitioners/Accused 1 to 3

Vs

- 1.The Deputy Superintendent of Police,
IUCAW Wing, Tenkasi Sub Division (i/c)
Tirunelveli District ... 1st Respondent/Investigation
Officer
- 2.The Sub Inspector of Police
Courtallam Police Station
Tirunelveli District ... 2nd Respondent/Complainant
- 3.Krishnamoorthi ... 3rd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned IInd Additional District Court (PCR), Tirunelveli to accept the surrender of petitioners in connection with Crime No.478 of 2019, on the file of 2nd respondent, and consider the bail application to be filed by them on the same day on merits and in accordance with law.

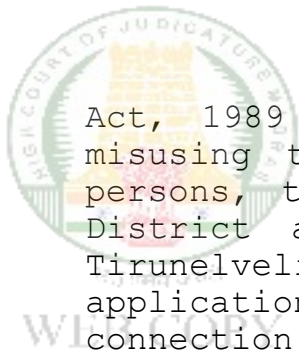
For Petitioners : Mr.S.Balamurugan

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 II Additional District and Sessions Judge (Special Judge, for P.C.R. Cases) Tirunelveli , 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.478 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, the petition is dismissed.



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 Additional District and Sessions Judge (Special Judge, for P.C.R. Cases) Tirunelveli , Tirunelveli District, to consider the petitioners bail application, preferably on the same day of their surrender in connection with Crime No. 478 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

// True Copy //

Sub Assistant Registrar(CS)

aav

To

1.The II Additional District and Sessions Judge
(Special Judge, for P.C.R. Cases) Tirunelveli ,
Tirunelveli District

2.The Deputy Superintendent of Police,
IUCAW Wing, Tenkasi Sub Division (i/c)
Tirunelveli District

3.The Sub Inspector of Police
Courtallam Police Station
Tirunelveli District

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

+1 CC to M/s.S.BALAMURUGAN, Advocate (SR-96523[F] dated 06/11/2019

Order made in
CRL.O.P (MD) No.16027 of 2019
06.11.2019

JMN(07.11.2019) 2P : 6C