



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.11.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.(MD)No.15968 of 2019

- 1.Sathish @ Soureesh
- 2.Surendran
- 3.Murali
- 4.Vignesh

...Petitioners/Accused 1, 4 to 6  
-Vs-

State rep.by

- 1.The Sub Inspector of Police,  
Karambakudi Police Station,  
Pudukkottai District.  
(In Crime No.233 of 2019)

- 2.The Deputy Superintendent of Police,  
Alangudi, Pudukkottai District.

... 1<sup>st</sup> & 2<sup>nd</sup> Respondents/  
Complainant

- 3.Sarathkumar

... 3<sup>rd</sup> Respondent/Defacto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the learned Special Sessions Judge for SC / ST offences, Pudukkottai, Pudukkottai District, under the SC/ST (POA) Amendment Act, 2015, to accept the surrender of the petitioners' and consider the bail application on merits on the same day in connection with Crime No.223 of 2019 on the file of the first respondent.

For Petitioners : Mr.S.Muthalraj

For R1 & R2 : Mr.K.Suyambulinga Bharathi  
Government Advocate(crl.side)

### **O R D E R**

This petition has been filed for a direction, to direct the learned Special Sessions Judge for SC/ST offences, Pudukkottai, Pudukkottai District, to consider the petitioners' bail petition of the petitioners on the same day of surrender and dispose the same on the same date on merits and in accordance with law in Crime No.223 of 2019 on the file of the first 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 misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the Special Sessions Judge for SC/ ST offences, Pudukkottai, Pudukkottai District, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.223 of 2019 on the file of the first 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)

Ls

To

- 1.The Special Sessions Judge,  
SC/ST Offences, Pudukkottai.
- 2.The Sub Inspector of Police,  
Karambakudi Police Station,  
Pudukkottai District.
- 3.The Deputy Superintendent of Police,  
Alangudi, Pudukkottai District.
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.NA. PALANIYANDI, Advocate ( SR-96248[F] dated 06/11/2019 )

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JMN(06.11.2019) 2P : 6C