



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.11.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.16015 of 2019

WEB COPY

Vinoth Babu

... Petitioner/Accused No.2
Vs

- 1.The Deputy Superintendent of Police,
Srivaikundam Sub Division
Thoothukudi District ...1st Respondent/Investigating Officer
- 2.The Inspector of Police
Alwarthirunagiri Police Station
Alwarthirunagiri
Thoothukudi District.
(Crime No.165 of 2019) ...2nd Respondent/Complainant
- 3.Pon Amirtham ...3rd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned II Additional District and Sessions Judge (Special Judge, for P.C.R. Cases) Tirunelveli , Tirunelveli District to consider and dispose of the bail application filed by the petitioner in Crime No.165 of 2019 on the file of the 2nd respondent herein on the same day of his surrender before the said Court.

For Petitioner : Mr.A.Thiruvadikumar
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 petitioner on the same day of surrender and dispose the same on merits and in accordance with law in crime No.165 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 misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the learned II Additional



District and Sessions Judge (Speicial Judge, for P.C.R. Cases) Tirunelveli , Tirunelveli District, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 165 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

// True Copy //

Sub Assistant Registrar(CS)

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,
Srivaikundam Sub Division
Thoothukudi District
 - 3.The Inspector of Police
Alwarthirunagiri Police Station
Alwarthirunagairi
Thoothukudi
 - 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- +1 CC to M/s.A.THIRUVADI KUMAR, Advocate (SR-96425[F] dated 06/11/2019)

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