



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.11.2019

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CRL.O.P (MD) No.17082 of 2019

Vinoth @ Vigneshkumar

... Petitioner /Accused No.2

Vs

- 1.The Deputy Superintendent Of Police,
Sivagangai Town, Sivagangai District.
- 2.The Inspector of Police
Kalaiyarkovil Police Station,
Sivagangai District
(Crime No.384 of 2019) ...1st and 2nd Respondent/Complainant
- 3.Rajamanikam ... 3rd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Sessions Judge, Special Court for Exclusive Trial of Cases under SC/ST (POA) Act 1989 Sivagangai to dispose the bail application filed by the petitioner on merits on the same day of his surrender before the above mentioned concerned court in pending investigation in Crime No.384 of 2019 on the file of the Second Respondent.

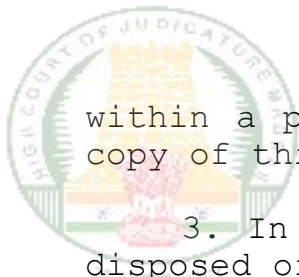
For Petitioner : Mr.M.S.Jeyakarthick

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

ORDER

This petition has been filed for a direction, to direct the Sessions Judge, Special Court for Exclusive Trial of Cases under SC/ST (POA) Act 1989 Sivagangai, to consider the petitioner's bail petition of the petitioner on the same day of surrender and dispose the same on the same date on merits and in accordance with law in crime No.384 of 2019 on the file of the second 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 person, there shall be a direction to the Sessions Judge, Special Court for Executive Trial of Cases under SC/ST (POA) Act 1989 Sivagangai, to consider the petitioner's bail application, preferably on the same day of he surrender in connection with Crime No.384 of 2019 on the file of the second 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 disposed of.

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Sd/-

Assistant Registrar (CS II)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Sessions Judge,
Special Court for Exclusive Trial of Cases under SC/ST (POA) Act
Sivagangai.
- 2.The Deputy Superintendent Of Police,
Sivagangai Town, Sivagangai District.
- 3.The Inspector of Police
Kalaiyarkovil 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-100424[F] dated
22/11/2019

CRL.O.P (MD) No.17082 of 2019
21.11.2019

_KK/SAR/22.11.2019/2P-6C/