



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.17297 of 2019

WEB COPY

1.M.Chellappa
2.U.Nallakannu @ Kannan ... Petitioners

Vs

1.The Deputy Superintendent of Police,
Srivaikundam
Thoothukudi District

2.The Sub Inspector of Police
Serakulam Police Station
Thoothukudi District

3.Sudalaimani ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the District and Sessions Court (SC/ST (POA) ACT) Tirunelveli to consider the surrender and bail application filed by the petitioners in Crime No. 40 of 2019 dated 18.11.2019, pending on the file of the respondents police on the same day.

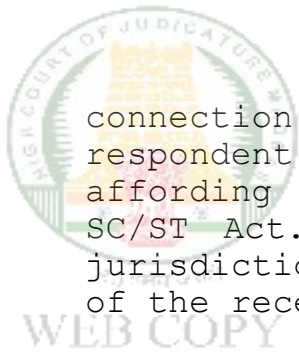
For Petitioners : Mr.R.Krishnan

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 District and Sessions Court (SC/ST (POA) ACT) Tirunelveli , 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.40 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 District and Sessions Court (SC/ST (POA) ACT) Tirunelveli , to consider the petitioners bail application, preferably on the same day of their surrender in



connection with Crime No. 40 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(Writs)

/TRUE COPY/

Sub Assistant Registrar

To

- 1.The District and Sessions Court
(SC/ST (POA) Act) Tirunelveli
- 2.The Deputy Superintendent of Police,
Srivaikundam
Thoothukudi District
- 3.The Sub Inspector of Police
Serakulam Police Station
Thoothukudi District
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.R. KRISHNAN, Advocate (SR-100980[F] dated 25/11/2019)

Order made in
CRL.O.P (MD) No.17297 of 2019
25.11.2019

aav

JM/26.11.2019/2P/6C