



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.11.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.17377 of 2019

M.A.Arokiya Raj

... Petitioner / Sole Accused

Vs

1.State represented by

The Deputy Superintendent of Police,

Thoothukudi Town Sub Division,

Thoothukudi, Thoothukudi District. ... 1st Respondent /

Investigating Officer

2.The Inspector of Police,

Thoothukudi South Police Station,

Thoothukudi, Thoothukudi District.

Crime No.593 of 2019.

... 2nd Respondent / Complainant

3.Santhanakrishnan

...3rd Respondent / Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the learned II Additional District and Sessions Judge (Special Judge for PCR Cases) Tirunelveli, Tirunelveli District, to consider and dispose of the bail application filed by the petitioner herein in Crime No.593 of 2019, dated 19.09.2019 on the file of the second respondent herein on the same day of his surrender.

For Petitioner: Mr.A.Thiruvadi Kumar

For R1 and 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 II Additional District and Sessions Judge (Special Judge for PCR Cases) Tirunelveli, Tirunelveli District, 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.593 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)

<https://hcservices.ecourts.gov.in/hcservices/>



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 (Special Judge for PCR Cases) Tirunelveli, Tirunelveli District, to consider the petitioner's bail application, preferably on the same day of he surrender in connection with Crime No.593 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 allowed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar(CS-1)

To

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

2.The Deputy Superintendent of Police,
Thoothukudi Town Sub Division,
Thoothukudi, Thoothukudi District.

3.The Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi, Thoothukudi District.

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

+1 CC to M/s.A. THIRUVADI KUMAR, Advocate (SR-101286[F]26/11/2019)

CRL.O.P (MD) No.17377 of 2019
26.11.2019

SDS/VR/SAR-1 (27.11.2019) 2P 6C