



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2019

CORAM

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

CRL.O.P (MD) No.17777 of 2019

WEB COPY

Sadaimuniyandi

(In FIR wrongly Mentioned as Selvam) ... Petitioner /Accused No.6

Vs

1.The Deputy Superintendent of Police,
Sivagangai Sub Division,
Sivagangai District.

2.The Inspector of Police,
Kalaiyarkovil Police Station
Sivagangai District.
(Crime No.384 of 2019)

3.Rajamanickam, ... Respondents/Victims/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Special Court for Exclusive trial of SC/ST POA Act cases 1989, Sivagangai to Consider the bail application of the petitioner to be filed in Crime No.384 of 2019 on the file of the second respondent police and to accept their surrender.

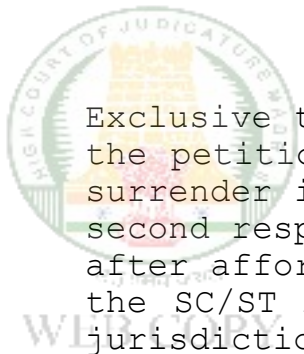
For Petitioner : Mr.R.Balamuruganantham

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 Special Court for Exclusive trial of SC/ST POA Act cases 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 persons, there shall be a direction to the Special Court for



Exclusive trial of SC/ST POA Act cases 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 allowed.

Sd/-

Assistant Registrar

/ True Copy /

Sub Assistant Registrar (CS-III)

To

- 1.The Special Judge for Exclusive trial
of SC/ST POA Act cases 1989,
Sivagangai.
- 2.The Deputy Superintendent of Police,
Sivagangai Sub Division,
Sivagangai District.
- 3.The Inspector of Police,
Kalaiyarkovil Police Station
Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to M/s.R.BALAMURUGANANTHAM, Advocate
(SR-102732[F]dated 29/11/2019)

Order made in
CRL.O.P (MD) No.17777 of 2019
29.11.2019

Ls

ES/SAR 3/29.11.2019/2P/6C