



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.17907 of 2019

WEB COPY

Mahalingam

... Petitioner/Accused No.3

Vs

1.The Deputy Superintendent Of Police,
Alangudi, Pudukkottai District.

2.The Sub-Inspector of Police
Karambakudi Police Station,
Karambakudi,
Pudukkottai District.

(Crime No.262/2010)

... 1st and 2nd Respondents/Complainant

3.Pandeeswaran

... 3rd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Pudukkottai to accept the surrender of the Petitioner / Accused No.3 and consider the Petitioner bail application and grant bail on the date of surrender itself Spl.C.C.No.45 of 2019 on the file of the Special Court.

For Petitioner : Mr.K.C.Maniyarasu

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 Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Pudukkottai, 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 Spl.C.C.No.45 of 2019 on the file of the Special Court.

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 Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Pudukkottai, to consider the petitioner's bail



application, preferably on the same day of he surrender in connection with Spl.C.C.No.45 of 2019 on the file of the Special Court 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(CS-II)

// True Copy //

Sub Assistant Registrar(CS)

Ls

To

- 1.The Special Judge for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989,
Pudukkottai.
- 2.The Deputy Superintendent Of Police,
Alangudi, Pudukkottai District.
- 3.The Sub-Inspector of Police
Karambakudi Police Station,
Karambakudi,
Pudukkottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC TO MR.K.C.MANIYARASU, Advocate Sr. No. 102555

Order made in
CRL.O.P (MD) No.17907 of 2019
29.11.2019

NS (CO)
TR(29.11.2019) 2P 6C