



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.12.2019

CORAM

THE HONOURABLE **MR. JUSTICE A.D.JAGADISH CHANDIRA**

CRL.O.P (MD) No.18700 of 2019

Kannan

... Petitioner/Accused No.1

Vs

1.The Deputy Superintendent of Police,
Ponnamaravathy Police Station
Pudukottai District

2. The Inspector of Police
Thirumayam Police Station
Pudukottai District ... 1st & 2nd Respondents/Complainants

3. Chinthamani ... 3rd Respondent/Defacto Complainant

4. Sivakumar

5. Subramanian ... 4th & 5th Respondents/Victim

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Special Sessions Judge (Special court for Trial of SC/ST Act Cases), Pudukkottai to consider of the bail application on the surrender of the petitioner in connection with charge sheet in Spl.Case No.25 of 2019 pending on the file of learned Special Sessions Judge (Special Court for Trial of SC/ST Act cases) Pudukottai pertaining to the Crime No. 45 of 2015 pending investigation on the file of the second respondent police on merits on the same day.

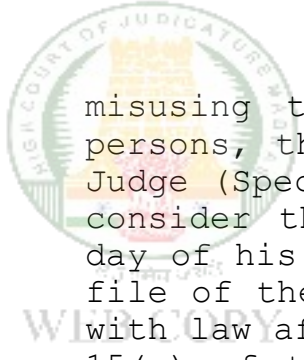
For Petitioner : Mr.G.Mathavan

For Respondents : Mr.S.Chandrasekar
No.1 and 2 Additional Public Prosecutor

O R D E R

This petition is filed for a direction to direct the learned Special Sessions Judge (Special court for Trial of SC/ST Act Cases), Pudukkottai to consider the bail petition of the petitioner on the same day of surrender and dispose the same on merits and in accordance with law in crime No.25 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 of the possibility of



misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the learned Special Sessions Judge (Special court for Trial of SC/ST Act Cases), Pudukkottai, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 25 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 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-I)

// True Copy //

Sub Assistant Registrar(CS)

aav

To

- 1.The Special Sessions Judge
(Special court for Trial of SC/ST Act Cases), Pudukkottai
- 2.The Deputy Superintendent of Police,
Ponnamaravathy Police Station
Pudukkottai District
3. The Inspector of Police
Thirumayam Police Station
Pudukkottai District
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC TO MR.G.MATHAVAN, Advocate Sr. No. 104630

Order made in
CRL.O.P (MD) No.18700 of 2019
12.12.2019

NS (CO)
TR(13.12.2019) 2P 6C