

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.4838 of 2020

1.Kalaiarasan
2.Pragadeeshwaran

... Petitioners

Vs

State represented by
The Inspector of Police,
Thiruthuraipoondi Police Station,
Thiruvarur District.
(Crime No.619 of 2019)

.... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned I Additional Sessions Judge, Tanjur (Special Judge for SC/ST Act cases, Tanjur) to consider the bail application of the petitioner on merits on the same day in the event of their surrender in connection with Crime No.619 of 2019, pending on the file of the respondent Police.

For Petitioner : Mr.T.Muruganantham
For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor.

O R D E R

This petition is filed for a direction to the learned I Additional Sessions Judge, Tanjur (Special Judge for SC/ST Act cases, Tanjur), to consider the petitioners' bail petition on the same day of their surrender in connection with Crime No.619 of 2019, since the offences are pertaining to the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

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 I Additional Sessions Judge, Tanjur (Special Judge for SC/ST Act cases, Tanjur), to consider the petitioners' bail application,

preferably on the same day of their surrender in connection with Crime No.619 of 2019 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(CS-III)

// True Copy//

Sub Assistant Registrar

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To

1.The I Additional Sessions Judge, Tanjur
(Special Judge for SC/ST Act cases, Tanjur)..

2. The Inspector of Police,
Thiruthuraipoondi Police Station,
Thiruvarur District.

3.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.T.Muruganantham, Advocate, SR.No.18776.

RJ(CO)

CSR: 04.03.2020

CRL.O.P.No.4838 of 2020

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