

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.4850 of 2020

1.Kamaleshan
2.Magendiran

... Petitioners

Vs

The Inspector of Police,
Mel Chengam Police Station,
Thiruvannamalai District.
(Crime No.106 of 2019)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Principal District and Sessions Judge, Thiruvannamalai, 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.106 of 2019, pending on the file of the respondent Police.

For Petitioner : Mr.P.Jayachandran

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

O R D E R

This petition is filed for a direction to the learned Principal District and Sessions Judge, Thiruvannamalai, to consider the petitioners' bail petition on the same day of their surrender in connection with Crime No.106 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 Principal District and Sessions Judge, Thiruvannamalai, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.106 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(C.S.III)

/True Coy/

Sub Assistant Registrar

To

1. The Principal District and Sessions Judge,
Thiruvannamalai.

2. The Inspector of Police,
Mel Chengam Police Station,
Thiruvannamalai District.

3. The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.P.Jayachandran,Advocate Sr.No. 18455

AKM/04.03.2020/2P-5C /

CRL.O.P.No.4850 of 2020