

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No. 11044 of 2020

Mr.Syed Fagrudeen
S/o. Fazlur Rahman,
No.174/2017, Gandhipuram,
Dharapuram Taluk,
Dharapuram, Tiruppur District. ... Petitioner

Vs

State represented by
The Inspector of Police,
Dharapuram Police Station,
Dharapuram, Tiruppur District.
(Crime No. 1766 of 2020) ... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Principle District cum Sessions Judge, Tiruppur, Tiruppur district (SC & ST) to consider the petitioner bail application on the same day of his surrender in connection with Crime No.1766 of 2020 on the file of the respondent Police.

For Petitioner : Mr.K.RAjendra Prasad
For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor.

सत्यमेव जयते
O R D E R

This petition is filed for a direction to the Special Court/Principle District cum Sessions Judge, Tiruppur, to consider the petitioner's bail petition on the same day of their surrender in connection with Crime No.1766 of 2020, 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 Special

Court/Principle District cum Sessions Judge, Tiruppur, to consider the petitioner's bail application, preferably on the same day of their surrender in connection with Crime No. 1766 of 2020 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

//True Copy//

Sub Assistant Registrar

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To

1. The Principle District cum Sessions Judge, Tiruppur.
2. The Inspector of Police, Dharapuram Police Station, Dharapuram, Tiruppur District.
3. The Public Prosecutor, High Court, Madras.

+1cc to Mr.K.Rajendra Prasad, Advocate, Sr.No.25124

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KJ(CO)
GS(12/08/2020)