

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.11043 of 2020

K.V.Dharmaraj @ Nataraj (M/A - 46 years),
S/o.Venkatachalam,
No.195, Aelur Main Road,
Pullappanaickenpalayam, Erode - 638 506. ... Petitioner/A5

Vs

State represented by
The Inspector of Police,
Bangalapudhur Police Station,
Erode.
(Crime No.428 of 2020) ... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned District Sessions Judge for Exclusive Trial of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Erode, to consider the petitioner's bail application on the same date of presentation in Crime No.428 of 2020, dated 18.05.2020, on the file of the respondent police.

For Petitioner : Mr..R.Vivekananthan
For Respondent : Mr.S.Karthikeyan,
Additional Public Prosecutor

O R D E R

This petition is filed for a direction to the learned District Sessions Judge for Exclusive Trial of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Erode, to consider the petitioner's bail application on the same date of presentation in Crime No.428 of 2020, dated 18.05.2020, on the file of the respondent police.

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 District Sessions Judge for Exclusive Trial of Scheduled Castes

and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Erode, to consider the petitioner's bail application, preferably on the same day of their surrender in connection with Crime No.428 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(CS)

//True Copy//

Sub Assistant Registrar

To

1. The District Sessions Judge for Exclusive Trial of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Erode.

2. The Inspector of Police, Bangalapudhur Police Station, Erode.

3. The Public Prosecutor, High Court, Madras.

Kj(co)
krd 2/9

CRL.O.P.No.11043 of 2020

सत्यमेव जयते

WEB COPY