



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.07.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No. 11356 of 2020

1. Valarmathi
W/o. Gnanaprakasam,
77, Middle Street,
Vanniper Village,
Tindivanam Taluk,
Villupuram District.

2. Manikandan
S/o. Rajendran
99, Chettiyar Street,
Vanniper Village,
Tindivanam Taluk,
Villupuram District.

... Petitioners/Accused No.2&4

Vs

State represented by

1. The Deputy Superintendent of Police,
Tindivanam Sub-Division
Villupuram District.

2. The Inspector of Police,
Brammadesam Police Station,
Villupuram District.

(Crime No. 420 of 2020)

... Respondents/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Special Judge for Exclusive Trial of Cases Registered under SC/ST (POA) Act Villupuram to consider the bail petition preferred by the petitioners upon their surrender in Crime No.420 of 2020 on the file of the second respondent police on the same day.

For Petitioners: Mr.Swami Subramanian

For Respondents: Mr.S.Karthikeyan,
Additional Public Prosecutor.



O R D E R

This petition is filed for a direction to the Special Judge for Exclusive Trial of Cases Registered under SC/ST (POA) Act Villupuram, to consider the petitioners' bail petition on the same day of their surrender in connection with Crime No.420 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 Judge for Exclusive Trial of Cases Registered under SC/ST (POA) Act Villupuram to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No. 420 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-III-MDU)

//True Copy//

Sub Assistant Registrar

dh

To

- 1.The Special Judge for Exclusive Trial
of Cases Registered under SC/ST (POA) Act,
Villupuram.
- 2.The Deputy Superintendent of Police,
Tindivanam Sub-Division
Villupuram District.
- 3.The Inspector of Police,
Brammadesam Police Station,
Villupuram District.



4. The Public Prosecutor,
High Court, Madras.

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VS (CO)
CB (29/09/2020)

CRL.O.P.No. 11356 of 2020