

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:21.08.2020

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CRL.O.P.No.12834 of 2020

1.Mani @ Manikandan
2.Ragothu @ Rogathanan

... Petitioners

Vs

1. State represented by its
The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Tirukoilur, Villupuram District.
2.The Inspector of Police,
Manalurpet Police Station,
Villupuram District
(Crime No.1092 of 2020)

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Principal Sessions Judge, Villupuram, to consider the bail application to be filed by the petitioners in Crime No.1092 of 2020 on the file of the Deputy Superintendent of Police, Tirukoilur, Villupuram District on the same day of their surrender..

For Petitioners : M/s.A.Balamuruan
For Respondents : Mr.S.Karthikeyan,
Additional Public Prosecutor.

ORDER

This petition is filed for a direction to the learned Principal Sessions Judge, Villupuram, to consider the petitioners' bail petition on the same day of their surrender in connection with Crime No.1092 of 2020, since the offences are pertaining to the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. The learned Additional Public Prosecutor submitted that the first petitioner was arrested and remanded to judicial custody. Therefore, the prayer has become infructuous, insofar as the first petitioner.

3. Insofar as the second petitioner is concerned, 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 Sessions Judge, Villupuram, to consider the second petitioner's bail application, preferably on the same day of their surrender in connection

with Crime No.1092 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 second petitioner 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.

4. In view of the above, the Criminal Original Petition stands allowed, insofar as the second petitioner is concerned.

21.08.2020

Internet: Yes

Index: Yes/no

Speaking/Non speaking order

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To

1. Principal Sessions Judge, Villupuram.

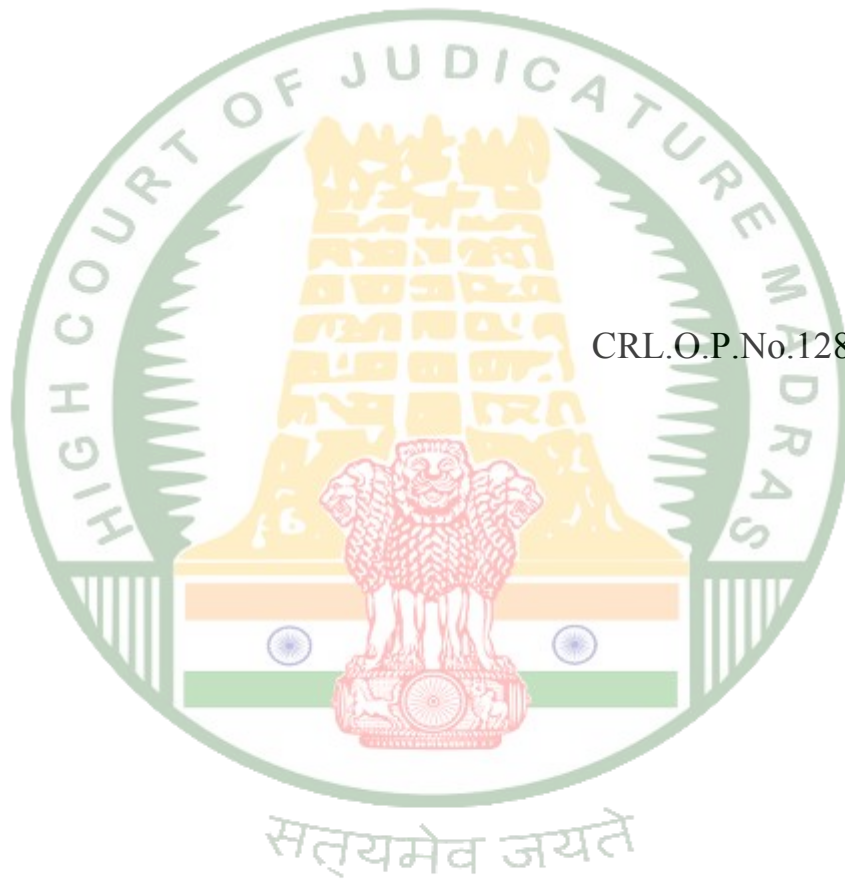
2. The Public Prosecutor, High Court, Madras.

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