

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:18.08.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No. 12444 of 2020

Sivakumar
S/o. Ganesan
500 Water Taml Street,
Pakkam, Villupuram,
Villupuram District.

... Petitioner

Vs

State represented by
Inspector of Police,
Kandamangalam Police Station,
Villupuram District
(Crime No. 1016 of 2020)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Special Court for SC & ST Act cases at Villupuram to consider the bail application of the petitioner on the date of surrender before the Court in connection with Cr.No.1016 of 2020 on the file of the respondent police.

For Petitioner : Mr.N.Chinnaraj

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

O R D E R

This petition is filed for a direction to the Special Court for SC & ST Act cases at Villupuram, to consider the petitioner's bail petition on the same day of their surrender in connection with Crime No.1016 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 for SC & ST Act cases at Villupuram, to consider the petitioner's bail application, preferably on the same day of their surrender in connection with Crime No. 1016 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.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The Special Court for SC & ST Act cases,
Villupuram.
2. The Inspector of Police,
Kandamangalam Police Station,
Villupuram District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.N.Chinnaraj, Advocate in SR.27115

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SSV (CO)
RV (16/09/2020)

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