

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.08.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.12874 of 2020

1.Madhan
2.Maniasaru
3.Santhosh
4.Neelamegam
5.Muthamizh
6.Pugazhmalai
7.Sathis
8.Aathi
9.Arivazhagan

... Petitioners

Vs

1.The Inspector of Police,
Kachirayapalayam Police Station,
Kallakurichi District.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Sessions Court Villupuram the District Sessions Judge Villupuram, Special Judge for Prevention of SC/ST Atrocities to accept surrender of the petitioners in Cr.No.803 of 2020 (On the file of Inspector of Police, Kachirayapalayam Police Station, Kallakurichi District) and consequently consider the petitioner's bail application on the same day.

For Petitioners: Mr.V.Gunasekar

For Respondent : Mr.S.Karthikeyan

Additional Public Prosecutor.

O R D E R

This petition is filed for a direction to direct the learned Sessions Court Villupuram the District Sessions Judge Villupuram, Special Judge for Prevention of SC/ST Atrocities to accept surrender of the petitioners in Cr.No.803 of 2020 (On the file of Inspector of Police, Kachirayapalayam Police Station, Kallakurichi District) and consequently consider the petitioner's bail application on the same day.

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 Sessions Court Villupuram the District Sessions Judge Villupuram, Special Judge for Prevention of SC/ST, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.803 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. According to the 1st petitioner, he was arrested and remanded to judicial custody. Therefore, this petition, as against the 1st petitioner is dismissed as infructuous. In so far as the petitioners 2 to 9 are concerned, they 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 the result, this Criminal Original Petition stands allowed in so far as the petitioners 2 to 9 are concerned.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gbi

To

- 1.The Inspector of Police,
Kachirayapalayam Police Station,
Kallakurichi District.
- 2.The Sessions Court Villupuram,
The District Sessions Judge Villupuram,
Special Judge for Prevention of SC/ST Act.
- 3.The Public Prosecutor, High Court, Madras.

CRL.O.P.No.12874 of 2020

VSNI (CO)
RMP (05/10/2020)

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