

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.13233 of 2020

1.Vijayakumar
S/o Kandasamy

2.Rupan
S/o Arasu

3.Kandasamy
S/o Ramasamy

4.Kumar @ Senthilkumar
S/o Kandasamy

All are residing at Pasumbalur Village
Veppamthattai Taluk
Perambalur District. Petitioners/Accused 1 to 4

Vs.

State Rep by its
The Inspector of Police
Kaikalathur Police Station
Perambalur District.
(Crime No.288/2020)Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Special Court for SC & ST Act Cases, Perambalur, to accept the surrender of the petitioners in connection with crime No.288 of 2020 on the file of the respondent and to consider the bail petitions filed by the petitioners on the same day in accordance with law.

For Petitioners: Mr.C.Prabakaran

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, Perambalur, to consider the petitioners bail petition on the same day of their surrender in connection with Crime No.288 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, Perambalur, to consider the petitioners bail application, preferably on the same day of their surrender in connection with Crime No. 288 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)

//True Copy//

Sub Assistant Registrar

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To

1.The Special Court for SC & ST Act Cases,
Perambalur.

2.The Inspector of Police
Kaikalathur Police Station
Perambalur District.

3.The Public Prosecutor
High Court of Madras.

+1cc to Mr.C.Prabakaran, Advocate, S.R.No. 28304

CA(CO)
GN(02/11/2020)

Cr1.O.P.No.13233 of 2020