

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:01.09.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.13379 of 2020

1.Kuppusamy
2.Deva

... Petitioners

Vs

State represented by its
The Inspector of Police,
Dharapuram Police Station,
Tiruppur District.
(Crime No.1868 of 2020)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Principal District Judge (Special Judge for SC/ST (Pa) Act 1989), Tiruppur to accept the surrender of the petitioners in connection with Crime No.1868 of 2020, on the file of the respondent, Dharapuram Police Station, Tiruppur District, on the file of the respondent to consider the bail application filed by the petitioners on the same day in accordance with law.

For Petitioners : Mr.R.Sasikumar
For Respondents : Mr.S.Karthikeyan,
Additional Public Prosecutor.

O R D E R

This petition is filed for a direction to the learned Principal District Judge (Special Judge for SC/ST (Pa) Act 1989), Tiruppur to accept the surrender of the petitioners in connection with Crime No.1868 of 2020, on the file of the respondent, Dharapuram Police Station, Tiruppur District, on the file of the respondent to consider the bail application filed by the petitioners on the same day in accordance with law.

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 District Judge (Special Judge for SC/ST (Pa) Act 1989), Tiruppur, to consider the second petitioner's bail application, preferably on the same day of their surrender in connection with Crime No.1868 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.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

- 1.The Principal District Judge (Special Judge for SC/ST (Pa) Act 1989), Tiruppur.
- 2.The Inspector of Police,
Dharapuram Police Station,
Tiruppur District.
- 3.The Public Prosecutor, High Court, Madras.

BP(CO)
RMP(09/10/2020)

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