

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.09.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.14607 of 2020

Boopathi

... Petitioner/Accused No.3

Vs.

The State Rep by
Inspector of Police,
Mohanur Police Station,
Namakkal District
(Crime No.502 of 2020)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Principal Sessions Judge, Special Court for trial of cases under SC/ST (POA) Act, Namakkal, Namakkal District to consider the bail application of the petitioner herein on the same day of surrender pertaining to the Cr.No.502 of 2020 on the file of the Mohanur Police Station, Namakkal District.

For Petitioner : Mr.T.Gopinathan

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

O R D E R

This petition is filed for a direction to the Principal Sessions Judge, Special Court for trial of cases under SC/ST (POA) Act, Namakkal, Namakkal District, to consider the petitioner's bail petition on the same day of his surrender in connection with Cr.No.502 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 person, there shall be a direction to the Principal Sessions Judge, Special Court for trial of cases under SC/ST (POA) Act, Namakkal, Namakkal District, to consider the

petitioner's bail application, preferably, on the same day of his surrender in connection with Cr.No.502 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 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.

3. In view of the above, the Criminal Original Petition stands allowed.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

gv

To

1. The Principal Sessions Judge,
Special Court for trial of cases under
SC/ST (POA) Act, Namakkal,
Namakkal District.
3. The Inspector of Police,
Mohanur Police Station,
Namakkal District.
3. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.14607 of 2020

SVI (CO)
GN(22/10/2020)

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