



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.01.2020

CORAM

WEB COPY

THE HONOURABLE **MR. JUSTICE A.D.JAGADISH CHANDIRA**

CRL.O.P (MD) No.791 of 2020

1. M.Ramasamy
2. R.Pathmanaban
- 3.S.Hariharan
4. R.Muthuraman
5. R.Kannan
6. R. Karthi
7. P.Thirumalai

... Petitioners

Vs

- 1.The Superintendent of Police,
Pudukottai,
Pudukottai District
2. The Inspector of Police
Viralimalai Police Station
Viralimalai, Pudukottai District
3. Ponnar

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying direct the learned Special Judge, (P.C.R. Court), Pudukkottai under the SC/ST (Prevention of Atrocities) Amendment Act, 2015 to consider of the bail application on the surrender of the petitioners in connection with Crime No.6/2020, pending investigation on the file of the second respondent on merits on the same day.

For Petitioners : Mr.G.Sridharan

For Respondents : Mr.S.Chandrasekar
No.1 and 2 Additional Public Prosecutor

O R D E R

This petition is filed for a direction to direct the learned Special Judge, (P.C.R. Court), Pudukkottai under the SC/ST (Prevention of Atrocities) Amendment Act, 2015 to consider the bail petition of the petitioners on the same day of surrender and dispose the same on merits and in accordance with law in crime No.6 of 2020 on the file of the 2nd respondent.



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 Special Judge, (P.C.R. Court), Pudukkottai under the SC/ST (Prevention of Atrocities) Amendment Act, 2015 , to consider the petitioners bail application, preferably on the same day of their surrender in connection with Crime No. 6 of 2020 on the file of the 2nd respondent 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 (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1.The Special Judge, (P.C.R. Court),
Pudukkottai under the SC/ST (Prevention of Atrocities)
Amendment Act, 2015

2.The Superintendent of Police,
Pudukkottai, Pudukkottai District

3. The Inspector of Police
Viralimalai Police Station
Viralimalai, Pudukkottai District

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.G.SRIDHARAN, Advocate (SR-2078[F] dated 21/01/2020)

Order made in

CRL.O.P (MD) No.791 of 2020

21.01.2020

JMN(21.01.2020) 2P : 6C