



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.03.2020

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

CRL.O.P[MD]No.4893 of 2020

WEB COPY

M.Gopala Krishnan

... Petitioner/1st Accused

Vs.

1.The State of Tamil Nadu represented by the
Deputy Superintendent of Police,
Melur, Madurai District.

2.The Sub-Inspector of Police,
Melavalavu Police Station,
Melur Taluk,
Madurai District.

Crime No.39 / 2020.

... Respondents 1&2/Complainant

3.Lakshmanan

... 3rd Respondent/
Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned III Additional District Judge / PCR Court, Madurai to consider and pass orders on bail application to be filed by petitioner in connection with Cr.No.39 of 2020 pending on file of Melavalavu Police Station on the same day.

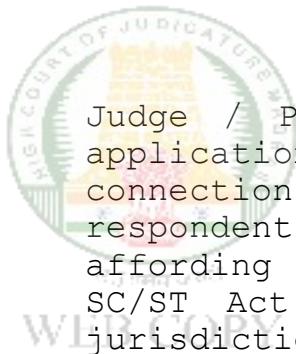
For Petitioner : Mr.N.Dilip Kumar
For Respondents 1&2 : Mrs.S.Bharathi,
Government Advocate [Crl. Side]

O R D E R

This petition is filed for a direction to direct the learned III Additional District Judge / PCR Court, Madurai to consider and pass orders on the bail application to be filed by petitioner in connection with Cr.No.39 of 2020, pending on file of Melavalavu Police Station on the same day.

2.The learned Counsel appearing for the third respondent vehemently opposed the grant of the relief sought for by the petitioner.

3.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 the possibility of misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the III Additional District



Judge / PCR Court, Madurai , to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.39 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 petitioner shall surrender before the concerned jurisdictional Court within a period of fifteen [15] days from the date of the receipt of a copy of this order. Further, liberty is granted to the third respondent to file appropriate objection before the trial Court.

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

Sd/-

Assistant Registrar (CS-II)

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/ /2020

Sub Assistant Registrar(CS)

MR

To

1. The III Additional District Judge/PCR Court, Madurai.
2. The Deputy Superintendent of Police, Melur, Madurai District.
3. The Sub-Inspector of Police, Melavalavu Police Station, Melur Taluk, Madurai District.
4. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

Order made in
CRL.O.P[MD]No.4893 of 2020
19.03.2020

SP (07.05.2020) 2P-6C