



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.10.2020

CORAM

**The Hon`ble Mr.Justice ABDUL QUDDHOSE**

CRL.O.P (MD) No.11881 of 2020

1.Muralidharan

2.Esakkimuthu

3.Sankar

... Petitioners/Accused 1 to 3  
Vs.

1.The Deputy Superintendent of Police,  
Nanguneri, Tirunelveli District.

2.The State through the  
The Inspector of Police  
Eruvadi Police Station  
Tirunelveli District.  
(Crime No 371 of 2020)

...Respondents1&2/Complainants

3.Dinakaran

...3<sup>rd</sup> Respondent/Defacto Complainant

**PRAYER:** Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the II Additional District Judge (PCR Court), Tirunelveli to consider the petitioner's bail application in the same day of arrest or upon their surrender under Crime No.371 of 2020, on the file of the second respondent police.

For Petitioners : Mr.K.R.Laxman

For R1 and R2 : Mr.K.Karmegam,

Government Advocate (Criminal Side)

### O R D E R

This petition is filed for a direction to direct the learned II Additional District Judge (PCR Court), Tirunelveli, 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.371 of 2020 on the file of the 2<sup>nd</sup> 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 II Additional District Judge (PCR Court), Tirunelveli, to consider the petitioners' bail applications, preferably on the same day of their surrender in connection with Crime No. 371 of 2020 on the file of the 2<sup>nd</sup> 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.

WEB COPY

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

das/tsg

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The II Additional District Judge (PCR Court),  
Tirunelveli.
- 2.The Deputy Superintendent of Police,  
Nanguneri, Tirunelveli District.
- 3.The Inspector of Police  
Eruvadi Police Station  
Tirunelveli District.
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

Order made in  
CRL.O.P (MD) No.11881 of 2020  
22.10.2020

ARK(CO)  
KB(03.11.2020) 2P 5C