



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.11991 of 2020

1.Ponmari Selvaraj ... 1st Petitioner / Accused No.1
2.Rajesh ... 2nd Petitioner / Accused (Rank Not Known)

Vs.

1.The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Thoothukudi, Thoothukudi District.
2.The Inspector of Police,
Pudukottai Police Station,
Thoothukudi District.
(Crime No.533 of 2020). ... 1st & 2nd Respondent / Complainant
3.Senthil Kumar ... 3rd Respondent / Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the learned Additional District and Sessions Judge, Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Cases, Thoothukudi to accept the surrender of the petitioners and consider their bail applications on the same day in Crime No.533 of 2020 pending on the file of the second respondent police.

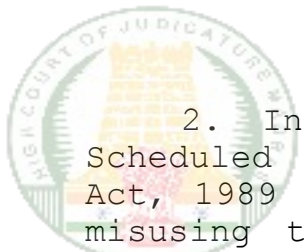
For Petitioners: Mr.V.Angusamy

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 Additional District and Sessions Judge, Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Cases, Thoothukudi 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.533 of 2020 on the file of the 2nd respondent.

<https://hcservices.ecourts.gov.in/hcservices/>



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 Additional District and Sessions Judge, Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Cases, Thoothukudi, to consider the petitioners' bail applications, preferably on the same day of their surrender in connection with Crime No. 533 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 (P & A)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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 Additional District and Sessions Judge,
Special Court for Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act, 1989, Cases, Thoothukudi.
- 2.The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Thoothukudi, Thoothukudi District.
- 3.The Inspector of Police,
Pudukottai Police Station, Thoothukudi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Order made in
CRL.O.P (MD) No.11991 of 2020
22.10.2020

das/tsg

<https://hccs.courts.gov.in/Case/2P-5C>