



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.10.2020

CORAM

WEB COPY

The Hon`ble Mr.Justice ABDUL QUDDHOSE

CRL.O.P (MD) No.12048 of 2020

Ponnumanikannan

... Petitioner / Accused No.4

Vs.

1.The Deputy Superintendent of Police,
Mudukulathur, Ramanathapuram District.

2.The Inspector of Police,
Keelathooval Police Station,
Ramanathapuram District.

(Crime No.42 of 2018) ... Respondent Nos.1 & 2 / Complainants

3.Karthik ... Respondent No.3 / Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the Hon'ble Special Court for Trial of Cases under SC/ST Act, 1989, Ramanathapuram District to accept the petitioner surrender and consider his bail application on the same day in connection with Crime No.42 of 2018, on the file of the second respondent in accordance with law.

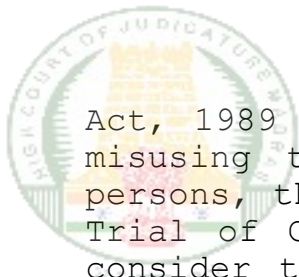
For Petitioner: Mr.P.Nagarajan

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 Special Court for Trial of Cases under SC/ST Act, 1989, Ramanathapuram District, to consider the bail petition of the petitioner on the same day of surrender and dispose the same on merits and in accordance with law in crime No.42 of 2018 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) <https://hcservices.ecourts.gov.in/hcservices/>



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 Court for Trial of Cases under SC/ST Act, 1989, Ramanathapuram District, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 42 of 2018 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 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 Special Court for Trial of Cases under SC/ST Act, 1989, Ramanathapuram District.
- 2.The Deputy Superintendent of Police, Mudukulathur, Ramanathapuram District.
- 3.The Inspector of Police, Keelathooval Police Station, Ramanathapuram District.
- 4.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

Order made in
CRL.O.P (MD) No.12048 of 2020
22.10.2020