



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.01.2020

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P (MD) No.19324 of 2019

1. Kannan
2. Kulanthaisami ... Petitioners / Accused Rank not known

Vs

1. The Sub Inspector of Police
Karambakudi Police Station
Pudukottai District
2. The Deputy Superintendent of Police,
Alangudi
Pudukottai District ... Respondents 1 & 2 / Complainants
3. Sarathkumar ... 3rd Respondent / Defacto Complainant
4. Renganathan
5. VinithKumar
6. Pandi ... Respondents 4 to 6 / Victims

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Special Sessions Judge for SC/ST offences, Pudukkottai, Pudukkottai District, under the SC/ST (POA) Amendment Act 2015 ,to accept the surrender of the petitioners and consider the bail application on merits on the same day in connection with the Crime No. 223 of 2019 on the file of the first respondent.

For Petitioners : Mr.S.Muthalraj

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 Sessions Judge for SC/ST offences, Pudukkottai, Pudukkottai District, under the SC/ST (POA) 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.223 of 2019 on the file of the first 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 Sessions Judge for SC/ST offences, Pudukkottai, Pudukkottai District, under the SC/ST (POA) Amendment Act 2015 , to consider the petitioners bail application, preferably on the same day of their surrender in connection with Crime No. 223 of 2019 on the file of the first respondent and pass appropriate orders in accordance with law after affording due opportunity to the victims 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 ()

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Special Sessions Judge for SC/ST offences, Pudukkottai, Pudukkottai District, under the SC/ST (POA) Amendment Act 2015

2. The Sub Inspector of Police
Karambakudi Police Station
Pudukkottai District

3. The Deputy Superintendent of Police,
Alangudi
Pudukkottai District

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

+1 CC to M/s.NA.PALANIYANDI, Advocate (SR-8[F] dated 02/01/2020)

Order made in
CRL.O.P (MD) No.19324 of 2019
02.01.2020

aav

<https://hccs.courts.gov.in/cases/SP-6C>