



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2022

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P NO.3306 OF 2022

- 1.Balamurugan
- 2.Prabhu @ Prabakaran
- 3.Ennarasu
- 4.Sakthikannan
- 5.Selvakumar
- 6.Vinoth @ Vinoth Kumar
- 7.Kathan @ Illavarasan

... Petitioners/
Accused 1,2,3,7,8,9

Vs

1. State rep. by the
Deputy Superintendent of Police,
Office of Deputy Superintendent,
Myladuthurai.
2. State by
The Inspector of Police,
Manalmedu Police Station,
Mayiladuthurai District.
Crime No.79 of 2021).

... Respondents/
Complainant

PRAYER:

Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Special Court for PCR cases cum Principal District and Sessions Judge, Nagapattinam to consider the bail application of the petitioners on the same day of their surrender in Crime No.797 of 2021 on the file of the respondent police.

For Petitioners : Mr.J.Jawahar
For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor



O R D E R

This petition is filed for a direction to the Special Court for PCR cases cum Principal District and Sessions Judge, Nagapattinam to consider the bail application of the petitioners on the same day of their surrender in Crime No.797 of 2021 on the file of the respondent police.

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 Court for PCR cases cum Principal District and Sessions Judge, Nagapattinam to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 797 of 2021 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

//True Copy//

Sub Assistant Registrar

vri/shk

To

1. State rep. by the
Deputy Superintendent of Police,
Office of Deputy Superintendent,
Myladuthurai.
2. State by
The Inspector of Police,
Manalmedu Police Station,
Mayiladuthurai District.
Crime No.79 of 2021).



3. The Special Court for PCR cases
cum Principal District and Sessions Judge,
Nagapattinam.

4. The Additional Public Prosecutor,
Madras High Court.

+1cc to Mr.J.Jawahar, Advocate, S.R.No.10344

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SRA (CO)
PM/17/02/2022