



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2022

CORAM:

THE HON'BLE Mr.JUSTICE G.CHANDRASEKHARAN

Cr1.O.P.No.4345 of 2022

Moorthy

... Petitioner/Accused

Vs

1. The Deputy Superintendent of Police,
Salem District,
Salem.

2. The State
Represented by Sub-Inspector of Police,
Thalaivasal Police Station,
Salem.

... Respondents/Complainants

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the Special Court for trial of cases under SC & ST (Prevention of Atrocities) Act, 1989, Salem to consider the bail application of the petitioner on the same day of surrender in Crime No.20 of 2022.

For Petitioner : Mr.P.Sengottuvel
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

This petition is filed seeking direction to the Special Court for trial of cases under SC & ST (Prevention of Atrocities) Act, 1989, Salem to consider the bail application of the petitioner on the same day of surrender in Crime No.20 of 2022.

2. This case was registered on the basis of the complaint for the offences under Sections 294(b) & 324 of IPC and under Sections 3(1)(r), 3(1)(g) & 3(2)(va) of SC/ST (Prevention of Atrocities) Amendment Act, 2015.

3. 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 person, there shall be a direction to the Special Court for trial of cases under SC & ST (Prevention of Atrocities) Act, 1989, Salem, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.20 of 2022 on the file of the respondent police and pass appropriate orders in accordance with law, after affording due opportunity to the victims under Section 15-A of the SC/ST (POA) Act, 1989. 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.

4. In view of the above, the Criminal Original Petition stands allowed.

Sd/-
Assistant Registrar(DIGI)

//True Copy//

Sub Assistant Registrar

AT

To

1. The Special Court for trial of cases under SC & ST (Prevention of Atrocities) Act, Salem.
2. The Deputy Superintendent of Police,
Salem District,
Salem.
3. The Sub-Inspector of Police,
Thalaivasal Police Station,
Salem.
4. The Public Prosecutor,
Madras High Court,
Madras.

+1cc to Mr.V.P.Sengottuvel, Advocate, S.R.No. 13122

Cr1.O.P.No.4345 of 2022

KJ (CO)
TE (28/02/2022)