



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2022

CORAM:

THE HON'BLE Mr. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.4453 of 2022

1.S.Masilamani
2.M.Radha
3.J.Mugunthan

... Petitioners/A1 to A3

Vs

1. State Rep. by
The Deputy Superintendent of Police,
Dharmapuri, Dharmapuri District.

2. State Rep. by
The Inspector of Police,
Karimangalam Police Station,
Dharmapuri District.
(Crime No.31 of 2022)

... Respondents/Complainants

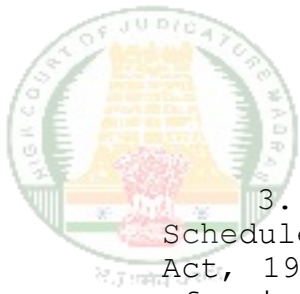
Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the learned Special Court for exclusive trial of cases registered under SC/ST (POA) Act, Dharmapuri District, to consider the bail petition preferred by the petitioners upon their surrender in Crime No.31 of 2022 on the file of the second respondent police on the same day.

For Petitioners	: Mr.T.R.Kathirvanan
For Respondents	: Mr.E.Raj Thilak Additional Public Prosecutor

ORDER

This petition is filed seeking direction to the Special Court for exclusive trial of cases registered under SC/ST (POA) Act, Dharmapuri District, to consider the bail application of the petitioners on the same day of surrender in Crime No.31 of 2022.

2. This case was registered on the basis of the complaint for the offences under Sections 447, 454, 379 IPC and under Section 3(1)(u) of the Schedule Caste and the Schedule Tribes (Dharmapuri of Atrocities) Amendment 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 persons, there shall be a direction to the Special Court for exclusive trial of cases registered under SC/ST (POA) Act, Dharmapuri District, to consider the petitioners bail application, preferably on the same day of their surrender in connection with Crime No.31 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 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.

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

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

AT

To

1. The Special Court for exclusive trial of cases registered under SC/ST (POA) Act, Dharmapuri District.
2. The Deputy Superintendent of Police, Dharmapuri, Dharmapuri District.
3. The Inspector of Police, Karimangalam Police Station, Dharmapuri District. (Crime No.31 of 2022)
4. The Public Prosecutor, Madras High Court, Madras.

+1cc to Mr.T.R.Ravi, Advocate, S.R.No. 12533

Cr1.O.P.No.4453 of 2022

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