



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2022

CORAM

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.5492 of 2022

1.Tamilvanan
2.Kalaiivanan
3.Amithabh Bachan
4.Nilavukarasan
5.Ilavarasan

...Petitioners

Vs.

1.The Deputy Superintendent of Police,
Jayankondam Division,
Ariyalur District.

2.Inspector of Police,
T.Palur Police Station,
Ariyalur District.
Crime No.39 of 2022

...Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the learned Principal District and Sessions Judge/Special Courts for SC/ST Cases, Ariyalur to consider the bail application of the Petitioners herein on the very day of surrender pertaining to the Crime No.39 of 2022 on the file of the T.Palur Police Station, Ariyalur District.

For Petitioners : Mr.P.Parthikannan
For Respondent : Mr.V.Meganathan
Government Advocate (Crl. side)

O R D E R

This Criminal Original Petition has been filed seeking for a direction to the learned Principal District and Sessions Judge/Special Courts for SC/ST Cases, Ariyalur to consider the bail application of the Petitioners herein on the very day of surrender pertaining to the Crime No.39 of 2022 on the file of the T.Palur Police Station, Ariyalur District.

2. Learned counsel for the petitioner would submit that the petitioner has been arrayed as accused in Crime No.39 of 2022 for the offence under Section 147,341,294(b),323,379,506(i) of



IPC and **(*)3(1)(r), 3(1)(s), 3(2)(va)** of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act 1989, Amendment Act, 2015 based on the complaint given by one Kalaivanan son of Dhachinamoorthy alleging that the occurrence had taken place on 26.02.2022 at about 5.30 pm. The complaint was registered by the respondents on 27.02.2022 at about 11.30 am. He would further submit that the Section 18 of the Act prohibits for grant of Anticipatory Bail. The respondent have also completed the investigation and has filed the final report before the concerned Jurisdictional Court and thereby he would seek for direction to the learned Principal District and Sessions Judge/Special Courts for SC/ST Cases, Ariyalur to consider the bail application of the Petitioners.

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 learned Principal District and Sessions Judge/Special Courts for SC/ST Cases, Ariyalur to consider the petitioners bail application, preferably on the same day of their surrender in connection with Crime No.39 of 2022 on the file of the second respondent 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.

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

Sd/-
Assistant Registrar(CS II)
Dated : 11.03.2022

**(*)Corrected as per order
dated 30.03.2022 made in
Crl.O.P.No.5492 of 2022**

Sd/-
Assistant Registrar(CS II)
Dated : 13.04.2022

//True Copy//

Sub Assistant Registrar



shk/sai

To

WEB COPY

1.The Principal District and
Sessions Judge,
Special Court for SC/ST Cases,
Ariyalur.

2.The Deputy Superintendent of Police,
Jayankondam Division,
Ariyalur District.

3.The Inspector of Police,
T.Palur Police Station,
Ariyalur District.

4.The Public Prosecutor,
High Court of Madras.

**To be substituted
to the order already
despatched vide
dated 16.03.2022**

+1cc to Mr.P.Parthikanna, Advocate, (*) **Sr.21485**

Crl.O.P.No.5492 of 2022

NRL (CO)
KKV/11/03/2022
NSK 13/04/2022