



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2022

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.NO.8398 OF 2022

1. AppayaNayakkar @ Kalanayakkar
2. AnanthaNayakkar @ Anandharaj

... Petitioners

Vs.

1. The Deputy Superintendent of Police,
Erode District,
Erode.
2. The State
Represented by the Sub- Inspector of Police,
Kadathur Police Station,
Erode District.

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the Special Court for trial of cases under SC & ST (Prevention of Atrocities) Act, 1989, Erode to consider the petitioner's bail application on their surrender in Crime No.67/2022 on the file of the respondent police on the very same day.

For Petitioners : Mr.V.P.Sengottuvel

For Respondents : 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 Special Court for trial of cases under SC & ST (Prevention of Atrocities) Act, 1989, Erode to consider the petitioner's bail application on their surrender in Crime No.67/2022 on the file of the second respondent police on the very same day.



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 Special Court for trial of cases under SC & ST (Prevention of Atrocities) Act, 1989, Erode, to consider the petitioners bail application, preferably on the same day of their surrender in connection with Crime No.67/2022 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(Digitization)

//True Copy//

Sub Assistant Registrar

shk

To

1. The Special Court for trial of cases under SC & ST (Prevention of Atrocities) Act, 1989, Erode.
2. The Deputy Superintendent of Police,
Erode District,
Erode.
3. The Sub- Inspector of Police,
Kadathur Police Station,
Erode District.
4. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.V.P.Sengottuvel, Advocate, S.R.No.25663

Cr1.O.P.No.8398 of 2022

VSN-II(CO)
RLP(18/04/2022)