WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.03.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.4610 of 2022

S.Vanamamalai ... Petitioner/
Accused rank not known

Vs.

1.The Assistant Commissioner of Police,
Palayamkottai, Tirunelveli.

2.The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli City.
(Crime No.152 of 2022) ... Respondents/Complainants

3.M.Ranjith ... 3rd Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the learned Special Court for Trial of cases under SC/ST (POA) Act, Tirunelveli, to accept the surrender of the petitioner and consider his bail application on the same day in Crime No.152 of 2022 on the file of the respondent police.

For Petitioner : Mr.M.Jagadeeshapandian
For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor (Crl.Side)
for R.1 & R.2

ORDER

This Criminal Original Petition has been filed to direct the learned Special Court for Trial of cases under SC/ST (POA) Act, Tirunelveli, to accept the surrender of the petitioner and consider their bail application on the same day in Crime No.152 of 2022 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 the possibility of misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the learned Special Court for Trial of cases under SC/ST(POA) Act, Tirunelveli, to consider the

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petitioner's bail application, preferably on the same day of their surrender in connection with Crime No.152 of 2022 on the file of the second 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 //

/ /2022

Sub Assistant Registrar(CS)

mga

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Special Court for Trial of cases
under SC/ST (POA) Act,
Tirunelveli District.

2.The Assistant Commissioner of Police,
Palayamkottai,
Tirunelveli.

3.The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P(MD)No.4610 of 2022
10.03.2022

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