

**IN THE COURT OF SESSIONS JUDGE, SPECIAL COURT FOR
TRIAL CASES UNDER SC/ST ACT, PERAMBALUR.**

**Present: Tmt.S.Malarvizhi, M.L.,
Sessions Judge, Perambalur.**

Monday, this the 14th day of September, 2020.

Crmp.No.497/2020.

1. Vijayakumar, 30/2020,
S/o.Kandasamy.
2. Ruban, 26/20,
S/o.Arasu.
3. Kandasamy, 60/20,
S/o. Ramasamy.
4. Senthilkumar, 37/20,
S/o. Kandasamy.

... Petitioners/Accused.

-VS-

State represented by
Inspector of Police,
Kai-Kalathur Police Station,
Crime No.288/2020.

... Respondent/Complainant.

Offences u/Ss.147, 148, 294(b), 323, 324, 506(ii) IPC r/w Sec.3(1)(r), 3(1)(s), 3(1)(Va) of SC/ST (PoA) Amendment Act – 2015.

* * * * *

This petition coming on this day before me for order in the form of e-bail by Thiru.S.Arunan, Advocate for the petitioners and of the Special Public Prosecutor for the State and upon perusing the petition and other relevant records, this Court has delivered the following...

ORDER

This petition has been filed U/s 439 of Cr.P.C. for grant of bail to the petitioners for the offences 147, 148, 294(b), 323, 324, 506(ii) IPC r/w Sec.3(1)(r), 3(1)(s), 3(1)(Va) of SC/ST (PoA) Amendment Act – 2015.

2. This petitioners filed Crl.O.P.No.13233/2020 U/s.482 Cr.P.C. brfore Hon'ble High Court praying to direct the Special Court for Trial of cases under SC/ST Act, Perambalur, to accept the surrender of the petitioners in connection with Crime No.288 of 2020 on the file of the respondent police.

3. Hon'ble High Court in order dated 28.08.2020 in Crl.O.P.No.13233/2020 had stated as follows. *"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 SC/ST Act, Perambalur, to consider the petitioners bail application, preferably on the same day of their surrender in connection with Crime No.288/2020 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 petitioners shall surrender before the concerned jurisdictional Court within a period of fifteen days from the date of the receipt of the copy of this Order."*

4. In pursuance of the direction of the Hon'ble High Court, the petitioners surrendered before this Court today and moved the application for bail.

5. The learned Counsel for the petitioners/accused submitted that the occurrence took place on 06.08.2020 and that they are innocent persons and that they have not committed any such offences as alleged in the FIR and that if they are released on bail.

6. Both accused surrendered in Crime No.288/2020, Kai-Kalathur Police Station. Pertaining to the offence related to SC/ST (PoA) Act. A1 to A4 surrendered. Defacto complainant and Special Puplic Prosecutor present. Their objections recorded. As per the order of Hon'ble High Court in Crl.O.P.No.13233/2020 dated 28.08.2020 and considering the circumstances both the accused were released on bail. Considering the above facts and in view of the above mentioned Hon'ble High Court's Order, bail is granted on conditions:

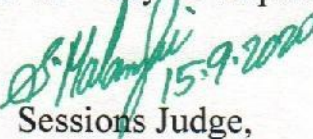
(a) that the petitioners are ordered to be released on bail on executing a bond for Rs.10,000/- with two sureties each for a like sum to the satisfaction of this Court.

(b) that the petitioners shall appear and sign before resondent Police Station daily once at 10.00 a.m. until further orders.

(c) that the petitioners shall co-operate with the police for investigation.

(d) that the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer.

Pronounced by me in open Court, this the 15th day of September, 2020.

15.9.2020

Sessions Judge,

Special Court for Trial Cases Under SC/ST Act,
sPerambalur.