

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED:16.11.2017****CORAM:****THE HONOURABLE MR.JUSTICE S.S.SUNDAR****CRL.O.P. (MD) No.15634 of 2017**

1.Chinnamarudhu
2.Arunpandian

: Petitioner/Accused 7 & 8

-Vs-

1.The Deputy Superintendent of Police,
Paramakudi Sub Division,
Ramanathapuram District.

2.The Inspector of Police,
Parthibanoor Police Station,
Parthibanoor,
Ramanathapuram District.

... 1st & 2nd Respondents/Complainant

3.Karunakaran

... 3rd Respondent/De-facto Complainant

4.Ramar

5.Muthuraj

6.Nagaraaj

... Respondents 4 to 6/Injured person

PRAYER: Criminal Original petition filed under Section 482 of Criminal Procedure Code, to direct the learned Principal District and Sessions Judge cum PCR Court, Ramanathapuram to consider the bail application of the petitioners / accused nos. 7 and 8 if any filed by them on their surrender on the same day in Crime No.294 of 2017 on the file of the second respondent Police.

For Petitioner : Mr.G. Vishnuram

For Respondents 1 & 2 : Mr.A. Ramar

Additional Public Prosecutor

O R D E R

Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondents 1 and 2.



2. The learned Additional Public Prosecutor appearing for the respondents 1 and 2 on instructions would submit that though the case was registered for the offence under Section 307 of IPC, the injured in this case is discharged from the hospital.

3. In view of the amendments made in the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, this Court is of the view that the usual directions that were issued by this Court cannot be issued routinely in all cases. Therefore, the petitioners are directed to surrender before the trial Court within a period of two weeks from the date of receipt of a copy of this order and on such surrender, the learned Principal District and Sessions Judge (PCR Court), Ramanathapuram, is directed to consider the bail petition filed by the petitioners in connection with Crime No.294 of 2017, on merits and in accordance with law, after issuing notice to the victims under Section 15 (A) of the SC/ST Act.

4. With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar

To

1. The Principal District and Sessions Judge, (PCR Court)
Ramanathapuram.
2. The Deputy Superintendant of Police,
Paramakudi Sub Division, Ramanathapuram District.
3. The Inspector of Police,
Paramakudi Police Station, Ramanathapuram District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.G.VISHNURAM, Advocate SR.No.87901.

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