



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 21.02.2017

CORAM

THE HON'BLE MR.JUSTICE G.CHOCKALINGAM

Cr1.O.P.(MD) No.1868 of 2017

WEB COPY

1. Ayyasamy
2. Magesh
3. Rajalingam

... Petitioners/Accused 2 to 4

-Vs-

State Rep. through
The Inspector of Police,
Suchindram Police Station,
Kanyakumari District.
(Crime No.674/2014)

... Respondents/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned II Additional District & Sessions Judge, PCR Court, Tirunelveli to consider the bail application of the petitioner / accused Nos.2 to 4 in Crime No.674 of 2014 on the file of the Respondent police at the moment of surrender on the same day.

For Petitioner : Mr.S.R.Sathan Boopathy

For Respondents: Mr.K.V.Rajarajan,
Government Advocate
(Criminal side)

O R D E R

Heard both sides.

2.The petitioner has come forward with this Criminal Original Petition seeking a direction to the learned II Additional District & Sessions Judge, PCR Court, Tirunelveli to consider the bail application of the petitioners / accused Nos.2 to 4 in Crime No.674 of 2014 on the file of the Respondent police at the moment of surrender on the same day.

3.Heard the learned Government Advocate (Criminal Side).

4.On a perusal of the copy of the F.I.R in Cr.No.674 of 2014, it is seen that one of the offences alleged to have been committed is under Section 3(1)(r), 3(1)(s), 3(1)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Ordinance Act, 2014. Admittedly, for the SC & ST Act, the Deputy Superintendent of Police of the concerned District is the Investigating Officer. But in the present case, the concerned Deputy Superintendent of Police is not added as a party.

<https://hcservices.ecourts.gov.in/hcservices/>

5.Since Deputy Superintendent of Police of the concerned



District is not added as a party in this petition, this Criminal Original Petition is dismissed.

Sd/-
Assistant Registrar

/True Copy/

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Sub Assistant Registrar

To:

- 1.The II Additional District & Sessions Judge,
PCR Court, Tirunelveli
 - 2.The Inspector of Police,
Suchindram Police Station,
Kanyakumari District.
 - 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- +1cc to Mr.SATHAN BOOPATHY Advocate in SR. No.9446

JS/JM/SAR.1/24.02.2017/2P5C

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