



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD)No.8764 of 2017

1.Durai Raj

2.Sathiyamurthy

3.Ravi

4.Rajeswari

:Petitioners/Accused No.6 to 8 &10

-Vs-

1.State represented by

The Deputy Superintendent of Police,
Orathanadu,
Thanjavur District.2.The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.

(Crime No.249 / 2015)

: Respondents/Complainants

3.Deivendiran

: Respondent/Defacto-complainant

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code to direct the learned I-Additional District Judge (PCR), Thanjavur, Thanjavur District, to accept the surrender of the petitioners and consider the bail application on merits on the date of surrender in Crime No.249 of 2015 on the file of the 2nd respondent police on the very same day.

For Petitioners

: Mr.M.Pitchai Muthu

For Respondents 1 and 2

: Mr.K.Anbarasan

Government Advocate(Crl.Side)

O R D E R

When the matter is taken up for hearing, the learned counsel for the petitioner submitted that though this petition has been filed by the accused persons/A6 to 8 & 10, the petitioners 1&3 / A6 & A8 have already surrendered before the concerned Court. Therefore he seeks permission of this Court to withdraw the



petition insofar as the petitioners 1 and 3 are concerned and he has also made an endorsement to that effect.

2. Recording the said endorsement, this Criminal Original Petition is dismissed as withdrawn insofar as the petitioners 1 and 3 are concerned.

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 2 and 4 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 1st Additional District Judge (PCR), Thanjavur, Thanjavur District is directed to consider the bail petition filed by the petitioners 2 and 4 in connection with Crime No.249 of 2015, on merits and in accordance with law, after issuing notice to the de-facto complainant, under Section 15 (A) of the SC/ST Act.

4. With the above directions, this Criminal Original Petition is disposed of insofar as the petitioners 2 and 4 are concerned.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar.

To

1. The I Additional District Judge(PCR), Thanjavur.

2.The Deputy Superintendent of Police, Orathanadu,
Thanjavur District.

3.The Inspector of Police, Orathanadu Police Station,
Thanjavur District.

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

+1CC to M/S.M.Pitchaimuthu, Advocate, SR.No. 64887

CRL.O.P.(MD)No.8764 of 2017

12.07.2017

das/pji

AM/SKN RSK/SAR 1/17.07.2017/2P/6C