



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.01.2018

CORAM:

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.(MD)No.1187 of 2018

1.Paul Vinoth
2.Santhiyagu

... Petitioners/Accused Nos.4 & 5

-Vs-

1. The Assistant Commissioner of Police,
Tirunelveli Junction,
Tirunelveli District.

2. The Inspector of Police,
Tirunelveli Junction Police Station,
Tirunelveli District.
(Cr.No.23 of 2018)

... Respondents 1 & 2/Complainants

3. Manikandan
4.Suresh

... 3rd Respondent/Defacto Complainant
.... 4th Respondent/Victim

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, direct the II Additional District & Sessions Judge (Special Court for PCR Cases) Tirunelveli to consider his bail application on the same day of his surrender in respect of Crime No.23 of 2018 on the file of the respondent pending investigation.

For Petitioners : Mr.M.Subash Babu
For Respondents 1 & 2 : Mr.A.P.G.Ohm Chairma Prabhu
Govt. Advocate (Crl.Side)

O R D E R

This Criminal Original petition has been filed under Section 482 of Criminal Procedure Code, to direct the learned II Additional District & Sessions Judge (Special Court for PCR Cases) Tirunelveli to consider his bail application on the same day of his surrender in respect of Crime No.23 of 2018, pending on the file of the respondent.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent.



3. The learned Government Advocate (Crl.Side) appearing for the respondent has submitted that the injured person has already been discharged from the hospital.

4. However, 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 II Additional District and Sessions Judge (Special Court for PCR Cases), Tirunelveli, is directed to consider the bail petition filed by the petitioners in connection with Crime No.23 of 2018, on merits and in accordance with law, after issuing notice to the defacto complainant/victim under Section 15 (A) of the SC/ST Act.

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

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

1 The II Additional District and Sessions Judge
(Special Court for PCR Cases), Tirunelveli)

2. The Assistant Commissioner of Police,
Tirunelveli Junction,
Tirunelveli District.

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

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

+1CC to Mr.M.Subash Babu, Advocate, SR.No. 44956

CRL.O.P. (MD) No.1187 of 2018
29.01.2018

VS

AM/SV/SAR 2/07.02.2018/2P/6C

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