



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.01.2018

CORAM:

THE HONOURABLE MR. JUSTICE P. RAJAMANICKAM

CRL.OP.(MD) No.1291 of 2018

WEB COPY

1.Manivelan

2.E.Surya Prakash

3.Kubendran

4.Manikandan

...Petitioners/Accused No.1,3,5 & 6

Vs.

1.The Deputy Superintendent of Police,

Uthamapalayam,

Theni District.

...Respondent/Investigation Officer

2.The State through,

The Inspector of Police,

Thevaram Police Station,

Theni District.

(Crime No.10 of 2018)

...2nd Respondent/Complainant

3.Kalpana

... 3rd Respondent/victim/De-facto
Complainant

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the learned Additional District Court (PCR Court), Theni District to consider the bail application of these petitioners/accused No. 1,3,5 and 6 in Crime No. 10/2018 pending on the file of the respondent No.1 and 2 on the same day of their surrender in the nature and circumstances of the case.

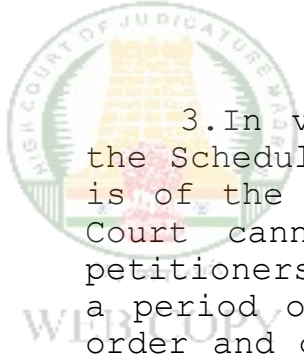
For Petitioners : Mr.V.A.Dhana Aravindha Balaji
for M/s.Dhana Law Associates

For Respondents : Mr.Prabu Ramachandran
Government Advocate (crl. Side)
for R.1and R.2

ORDER

This petition has been filed to direct the learned Additional District Court (PCR Court), Theni District to consider the bail application of these petitioners/accused No. 1,3,5 and 6 in Crime No. 10/2018 pending on the file of the respondent No.1 and 2 on the same day of their surrender in the nature and circumstances of the case.

2.Heard, the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.side) appearing for the State.



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 Additional District Court (PCR Court), Theni District, is directed to consider the bail petition filed by the petitioners in connection with Crime No.10 of 2018, 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 (C.O)

/True Copy/

Sub-Assistant Registrar

To

1. The Additional District Judge,
(PCR Court), Theni District.
2. The Deputy Superintendant of Police,
Uthamapalayam,
Theni District.
3. The Inspector of Police,
Thevaram Police Station,
Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+One cc to M/s. Dhana Law Associates, Advocate, SR.no.44387

cp
RL/6C/2P/SV/MMS/SAR1/2/2/2018