



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.01.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

CRL.OP.(MD) No.1300 of 2018

1.Karuppaiah

2.Kala @ Kalaiselvi

...Petitioners/Accused No.1 and 2

Vs.

1. The State represented by its,
The Deputy Superintendent of Police,
Samayanallur,
Madurai District.

2. The Sub Inspector of Police,
Kadupatti Police Station,
Madurai District.
(Crime No.7 of 2018)

...1st&2nd Respondents/Complainants

3.Kattaian

... 3rd Respondents/De-facto
Complainant

4.Perumaye

...4th respondent/victim

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the Learned Principal District and Sessions Judge (PCR) (Special Court for SC/ST (Prevention of Atrocities) Act, Madurai to accept the surrender of the petitioner and consider the bail application on merits on the date of surrender itself in Crime No.7 of 2018 on the file of second respondent police.

For Petitioners

: Mr.I.Kannan

For Respondents

: Mr.Prabu Ramachandran

Government Advocate (crl. Side)
for R.1and R.2

ORDER

This petition has been filed to direct the Learned Principal District and Sessions Judge (PCR) (Special Court for SC/ST (Prevention of Atrocities) Act, Madurai to accept the surrender of the petitioner and consider the bail application on merits on the date of surrender itself in Crime No.7 of 2018 on the file of 2nd respondent police.



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 Principal District and Sessions Judge (PCR) (Special Court for SC/ST (Prevention of Atrocities) Act, Madurai, is directed to consider the bail petition filed by the petitioners in connection with Crime No.7 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 (Crl.side)

/True copy/

Sub Assistant Registrar

To

1. The Principal District and Sessions Judge,
(PCR) (Special Court for SC/ST (Prevention of Atrocities) Act,
Madurai.
2. The Deputy Superintendent of Police,
Samayanallur, Madurai District.
3. The Sub Inspector of Police,
Kadupatti Police Station, Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr. I. Kannan, Advocate, in SR No. 44425

CRL.OP. (MD) No.1300 of 2018
29.01.2018

cp