



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2018

CORAM:

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**THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM**

CRL.O.P.(MD)No.2190 of 2018

Harish

... Petitioner/A-1

**-Vs-**

1. The Deputy Superintendent of Police,  
Nagercoil, Kanyakumari District.

2. The State Rep. By  
The Inspector of Police,  
All Women Police Station,  
Nagercoil,  
Kanyakumari District.  
(Crime No.3/2018)

... Respondents 1&2/Complainant

3. Priyadharsini

... 3<sup>rd</sup> Respondent/Defacto  
Complainant

**PRAYER:** Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the learned II Additional Sessions Judge, Tirunelveli, Tirunelveli District, to accept the surrender of the petitioner in connection with Crime No.3 of 2018, on the file of the Inspector of Police, All Women Police Station, Nagercoil, Kanyakumari District and subsequently in the event of any bail application is made to be filed by him on the date of his surrender before the said Court the same has to be decided later on merits and in accordance with law on the same day itself.

For Petitioner : Mr.S.Palani Velayutham

For R-1 & R-2 : Mr.Prabu Ramachandran,  
Government Advocate (Crl.Side)

**O R D E R**

This Criminal Original Petition has been filed by the petitioner, to direct the learned II Additional Sessions Judge, Tirunelveli, Tirunelveli District, to accept the surrender of the petitioner in connection with Crime No.3 of 2018, on the file of the Inspector of Police, All Women Police Station, Nagercoil, Kanyakumari District and subsequently in the event of any bail application is made to be filed by him on the date of his surrender before the said Court and the same has to be decided later on merits



and in accordance with law on the same day itself.

2. Heard Mr.S.Palani Velayutham, the learned counsel appearing for the petitioner and Mr.Prabu Ramachandran, the learned Government Advocate (Crl.Side) appearing for the first and second respondent.

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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 petitioner is 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 Sessions Judge, Tirunelveli, Tirunelveli District, is directed to consider the bail petition filed by the petitioner in connection with Crime No.3 of 2018, on merits and in accordance with law, after issuing notice to the defacto complainant under Section 15 (A) of the SC/ST Act.

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

Sd/-  
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

**To**

1. The Deputy Superintendent of Police,  
Nagercoil, Kanyakumari District.
2. The Inspector of Police,  
All Women Police Station,  
Nagercoil, Kanyakumari District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+ 1 CC TO Mr.S.PALANI VELAYUTHAM, ADVOCATE IN SR No. 49126

IA  
TE/KKR/SAR-3 : 06/03/2018 : 2P/5C

CRL.O.P. (MD) No.2190 of 2018  
15.02.2018