



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2018

CORAM:

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THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.(MD)No.3230 of 2018

1.Gurusamy Naikkar
2.Ruthrusamy @ Sivawaran
3.Vignesh @ Vikneswaran ... Petitioners/Accused Nos.1 to 3

-Vs-

1. The State represented by
Deputy Superintendent of Police,
Sankarankovil Sub Division,
Tirunelveli District.

2. The Inspector of Police,
Thiruvengadam Police Station,
Tirunelveli District,
Crime No.28 of 2018.

3.Karuppasamy ... Respondents / Defacto Complainant

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, praying to direct the learned II Additional Sessions Judge, (PCR) Court, Tirunelveli, Tirunelveli District to consider the petitioners bail application on the date of surrender on the same day in Crime No.28 of 2018 on the file of the Thiruvengadam Police Station, Tirunelveli District.

For Petitioners : Mr.K. Prabhu

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

O R D E R

This Criminal Original Petition has been filed by the petitioners to direct the learned II Additional Sessions Judge, (PCR) Court, Tirunelveli, Tirunelveli District to accept the surrender of the petitioners and to consider their bail application on the same day in connection with Crime No.28 of 2018, on the file of the second respondent police.



2. Heard Mr.K.Prabhu, the learned counsel appearing for the petitioners and Mr.Prabu Ramachandran, the learned Government Advocate (Crl.Side) appearing for the first and second respondents.

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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 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, learned II Additional Sessions Judge, (PCR) Court, Tirunelveli, Tirunelveli District, is directed to consider the bail petition filed by the petitioners in connection with Crime No.28 of 2018, 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 direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The II Additional Sessions Judge, (PCR) Court, Tirunelveli.
2. The Deputy Superintendent of Police, Sankarankovil Sub Division, Tirunelveli District.
3. The Inspector of Police, Thiruvengadam Police Station, Tirunelveli District.
4. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+ 1 cc TO Mr.K.Prabhu , Advocate in SR No. 53087

pnn

AE/JC/SAR2/15.03.2018/2P/6C