



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

CRL.OP.(MD) No.3282 of 2018

WEB COPY

Sakthivel

... Petitioner/Sole Accused

Vs.

1.The State represented by its,
Deputy Superintendant of Police,
Srivaikundam,
Tuticorin District.

2.The State Rep by its,
The Inspector of Police,
Srivaikundam Police Station,
Tuticorin District.

(Crime No.399 of 2017)

...Respondents1 & 2/Complainants

3.Kumar

... 3rd respondent/ De-facto
Complainant

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the learned second Additional District and Sessions Judge, (PCR Court) Tirunelveli to consider the bail application of the petitioner on the very same day of his surrender and to release him on bail on the very same day itself, in connection with the FIR in Crime No.399 of 2017 on the file of second Respondent police.

For Petitioner

: Mr.S.R.Durairaj

For R1 and R2

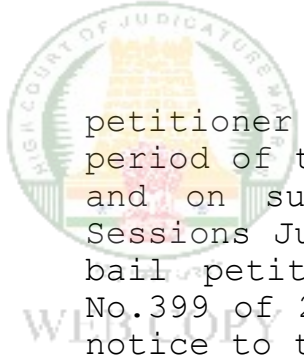
: Mr.Prabu Ramachandran
Government Advocate (Crl. Side)

ORDER

This petition has been filed by the petitioner to direct the learned II Additional District and Sessions Judge, (PCR Court) Tirunelveli to consider the bail application of the petitioner on the very same day of his surrender and to release him on bail on the very same day itself, in connection with the FIR in Crime No.399 of 2017 on the file of second Respondent police.

2.Heard, the learned counsel appearing for the petitioner 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



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 District and Sessions Judge, (PCR Court), Tirunelveli is directed to consider the bail petition filed by the petitioner in connection with Crime No.399 of 2017, 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 (CO)

/True copy/

Sub Assistant Registrar

To

1. The II Additional District & Sessions Judge,
(PCR Court), Tirunelveli.
2. The Deputy Superintendant of Police,
Srivaikundam,
Tuticorin District.
3. The Inspector of Police,
Srivaikundam Police Station,
Tuticorin District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.M.S.JEYAKARTHIK Advocate, SR.No.53878

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CP
KK/SKN RSK/13.03.2018/SAR-3/2P-6C