



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.(MD)No.3980 of 2018

WEB COPY

- 1.V.P.M.Sankaranarayanan
- 2.Thanga Prabhu
- 3.Ramanathan
- 4.Ravi

... petitioners/Accused 1 to 4

-Vs-

1. The State rep. By
The Deputy Superintendent of Police,
Srivilliputhur Sub Division,
Srivilliputhur.

2. The Inspector of Police,
Srivilliputhur Town Police Station,
Virudhunagar District.
(Cr.No.128/2018)

- 3.Srinivasagam ... Respondents/Complainants

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the learned Principal District and Sessions (Special Judge for PCR) Cases, Srivilliputhur to accept the surrender of the petitioners and consider their bail application on the same day in Cr.No.128/2018, pending on the file of the 2nd respondent.

For petitioners : Mr.Veerapandian
For R-1 & R-2 : Mr.A.P.G.Ohm Chairma Prabhu
Govt. Advocate (Crl.Side)

O R D E R

This Criminal Original petition has been filed under Section 482 of Criminal Procedure Code, to direct the learned Principal District and Sessions (Special Judge for PCR) Cases, Srivilliputhur to accept the surrender of the petitioners and consider their bail application on the same day in Cr.No.128/2018, pending on the file of the 2nd respondent.

2.The learned Government Advocate (Crl.side) has submitted that the injured person is still taking treatment as inpatient.

3.By way of reply, the learned counsel for the petitioners has submitted that after discharging from the hospital, with a view to stall the proceedings of the case, the defacto complainant again



admitted in the hospital.

4. Taking into consideration of the aforesaid facts and also 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 (Special Judge for PCR) Cases, Srivilliputhur, is directed to consider the bail petition filed by the petitioners in connection with Crime No.128 of 2018, on merits and in accordance with law, after issuing notice to the defacto complainant/victim under Section 15 (A) of the SC/ST Act. Liberty is given to the Public Prosecutor to raise all these points before the trial court.

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

Sd/
Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

1. The Principal District and Sessions (Special Judge for PCR) Cases,
Srivilliputhur

2. The Deputy Superintendent of Police,
Srivilliputhur Sub Division,
Srivilliputhur.

3. The Inspector of Police,
Srivilliputhur Town Police Station,
Virudhunagar District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.S.RAVI, Advocate, SR.No. 57478

CRL.O.P. (MD) No.3980 of 2018
22.03.2018

VS

KK/SKN RSK/26.03.2018/SAR-1/2P-6C