



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.01.2018

CORAM

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THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.(MD) No.544 of 2018

1.D.Yogamani

2.M.Pothumponnu ... Petitioners/Accused Nos.1 & 2

-Vs-

1.The State represented by,
The Deputy Superintendant of Police,
Sivagangai Town.

2.The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.
(Crime No.954 of 2017) ... Respondent No.1&2/Complainants

3.Shanthi ... 3rd Respondent/de-facto
Complainant

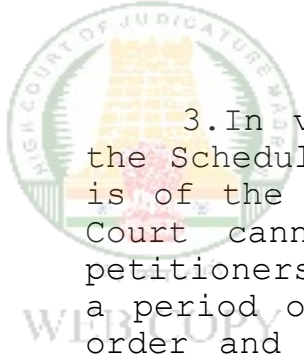
Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the learned Special Court for PCR offences, Sivagangai to consider of the bail application on the surrender of the petitioners in connection with case in Crime No.954 of 2017, pending investigation on the file of the second respondent police on merits on the same day.

For Petitioners	:	Mr.R.Srinivasan
For Respondents	:	Mr.Prabu Ramachandran
		Government Advocate(Crl.side)
		for R1 and R2
	:	No appearance for R3

O R D E R

This petition has been filed by the petitioners to direct the Special Court for PCR offences, Sivagangai to dispose of the bail application filed by the petitioners on merits on the same day of their surrender before the above mentioned concerned Court pending investigation of Crime No.954 of 2017 on the file of second 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 Special Court for PCR offences, Sivagangai, is directed to consider the bail petition filed by the petitioner in connection with Crime No.954 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 (CSI)

/True Copy/

Sub-Assistant Registrar

To

1. The Special Court for PCR offences,
Sivagangai.
2. The Deputy Superintendent of Police,
Sivagangai Town.
3. The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+One cc to Mr. R. Srinivasan, Advocate, SR.No.42500

gsp/pnn
RL/6C/2P/JC/SAR4/19/1/2018

Cr1.O.P. (MD) No.544 of 2018