



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.01.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P. (MD) No.832 of 2018

- 1.Kumeresan
- 2.Balu @ Balakrishnan
- 3.Kalidass
- 4.Kumaresan @ Gunasekaran
- 5.Suresh
- 6.Mahendran @ Thiayagarajan
- 7.N.Saravanan
- 8.Varungandhi
- 9.Muruganantham
- 10.Subramanian

... Petitioners/

Accused Nos.2, 3, 5, 6 to 10,12 & 13

-Vs-

1. The State rep. By
The Deputy Superintendent of Police,
Thiruthuraipandi,
Thiruvarur District.
2. The Inspector of Police,
Allivalam Police Station,
Thiruvarur District. ... 1 & 2 Respondents /Complainant
3. Karunanithi ... 3rd Respondent/Defacto Complainant

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, direct the Learned 1st Additional District Sessions Judge (P.C.R.Court) Thanjavur to consider the bail application on same day of their surrender in connection with Crime No. 4/2018 on the file of the respondent police.

For Petitioners : Mr.S.Venkatesan

For Respondents 1 & 2 : Mr.A.P.G.Ohm Chairma Prabhu
Govt. Advocate (Crl.Side)

**ORDER**

This Criminal Original petition has been filed under Section 482 of Criminal Procedure Code, to direct the learned 1st Additional District Sessions Judge (P.C.R.Court) Thanjavur to consider the bail application on same day of their surrender in connection with Crime No. 4/2018 on the file of the respondent police.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondents 1 & 2.

3. The learned Government Advocate (Crl.Side) appearing for the respondents 1 & 2 has submitted that the injured person has already been discharged from the hospital.

4. However, 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 1st Additional District Sessions Judge (P.C.R.Court) Thanjavur District, is directed to consider the bail petition filed by the petitioners in connection with Crime No.4 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.

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

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The 1st Additional District Sessions Judge (P.C.R.Court) Thanjavur.
2. The Deputy Superintendent of Police,
Thiruthuraipandi,
Thiruvarur District.
3. The Inspector of Police,
Thiruvarur District.



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

+1 cc TO Mr.S.Venkatesan , Advocate in SR No. 45371

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VS

AE/SV MMS/SAR2/13.02.2018/3P/6C

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