



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.01.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAMCRL.O.P.(MD)No.862 of 2018

1.Sankaralingam

2.Paramasamy @ Paramasivam

3.Bangarusamy

4.Manjamalai

... Petitioners/Accused Nos.1 & 4 to 6

(cause title amended as per the order passed in Crl.M.P.(MD).
No.444/18 in Crl.O.P.(MD).No.862/2018, dated 29.01.2018)

-Vs-

1. The Deputy Superintendent of Police,
Theni, Theni District.

2. The Inspector of Police,
Jayamangalam Police Station,
Jayamangalam
Theni District.

(Cr.No.23 of 2018) ... Respondents /Complainant

3. Sutharsan ... 3rd Respondent/Defacto Complainant

4.Pradeep 4th Respondent/Victim

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, direct the Learned Principal Sessions Judge cum Special Judge for P.C.R Cases Theni District to consider the bail application of the petitioners/Accused 1 & 4 to 6 if any filed by them on their surrender on the same day in Crime No. 8 of 2018 on the file of the 2nd respondent police.

For Petitioners

: Mr.R.Srinivasan

For Respondents 1 & 2

: Mr.A.P.G.Ohm Chairma Prabhu
Govt. Advocate (Crl.Side)

O R D E R



Sessions Judge cum Special Judge for P.C.R Cases Theni District to consider the bail application of the petitioners/Accused 1 & 4 to 6, if any filed by them on their surrender on the same day in Crime No. 8 of 2018 on the file of the 2nd 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 Principal Sessions Judge cum Special Judge for P.C.R Cases Theni District, is directed to consider the bail petition filed by the petitioners in connection with Crime No.8 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(C.O)

/True Copy/

Sub-Assistant Registrar

To

1. The Principal Sessions Judge cum Special Judge for P.C.R Cases Theni District.
 2. The Deputy Superintendent of Police, Theni, Theni District.
 3. The Inspector of Police, Jayamangalam Police Station, Jayamangalam Theni District.
 4. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.
- +One cc to Mr.R.Srinivasan, Advocate, SR.No.45376

vs

RL/6C/2P/SV/MMS/SAR4/1/2/2018

CRL.O.P. (MD) No.862 of 2018

29.01.2018