



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.04.2018**

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

CrI.O.P.(MD)No.5979 of 2018

Pandi @ Pandian : Petitioner / Accused No.3

-Vs-

1. The Deputy Superintendent of Police,
Uthamapalayam,
Theni District.
2. The Inspector of Police,
Gudalur South Police Station,
Theni District.
(Crime No.56 of 2018) : Respondents 1&2 / Complainants
3. Pandidurai : 3rd Respondent / *De facto* complainant

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code to direct the learned Special Sessions Judge, Special Court for PCR Cases, Theni District, to consider the bail application to be filed by the petitioner on the same day of its filing on his surrendering in connection with the case in Crime No.56 of 2018 on the file of the Inspector of Police, Gudalur South Police Station, Theni District.

For Petitioner : Mr.S.Balaji

For R-1 and R-2 : Mr.K.K.Ramakrishnan
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the learned Special Sessions Judge, Special Court for PCR Cases, Theni District, to consider the bail application to be filed by the petitioner on the same day of its filing on his surrendering in connection with the case in Crime No.56 of 2018 on the file of the Inspector of Police, Gudalur South Police Station, Theni District.

2. According to the learned Additional Public Prosecutor, the petitioner shall file an appropriate application before the competent Court seeking bail for the alleged crime and there is an objection for the maintainability of the present Criminal Original Petition and also for granting bail.



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 Special Sessions Judge, Special Court for PCR Cases, Theni District, shall deal with the matter on the same day on merits and in accordance with law, after issuing notice to the victims under Section 15 (A) of the SC/ST Act.

4. This Criminal Original Petition is disposed of with the above directions.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Deputy Superintendent of Police,
Uthamapalayam,
Theni District.
2. The Inspector of Police,
Gudalur South Police Station,
Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 cc TO Mr.S.Balaji , Advocate in SR No. 61710

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AE/SV MMS/SAR4/23.04.2018/2P/5C

Order made in
Crl.O.P. (MD) No.5979 of 2018
Dated:16.04.2018