



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.02.2018

CORAM:

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.(MD)No.16164 of 2017

1.Subasini @ Rajikutti

2.Bhavani

... Petitioners/Accused 1 & 2

-Vs-

1. State rep. By its

The Deputy Superintendent of Police,
Lalgudi Taluk,
Trichy District.

2. Inspector of Police,

Kallakudi Police Station,
Trichy District.
(Cr.No.86/2017)

...Respondents 1 & 2/Complainant

3.Maniyammal

...3rd Respondent/Defacto Complainant

4.Suresh Kumar

.... Respondent/Victim

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the learned I Additional District and Sessions Judge Cum Special Judge, P.C.R. Court, Trichy to consider the bail application of the petitioners on the same day of their surrender before that court in connection with Cr.No.86 of 2017 on the file of the respondent, after hearing the victims under Section 15-A of the SC/ST Act.

For Petitioners

: Mr.N.Anandakumar

For Respondents

: Mr.A.P.G.Ohm Chairma Prabhu

Govt. Advocate (Crl.Side) for RR-1 & 2

Mr.T.Lenin Kumar for R-3

No appearance for R-4

O R D E R

This Criminal Original petition has been filed to direct the learned I Additional District and Sessions Judge Cum Special Judge, P.C.R. Court, Trichy to consider the bail application of the petitioners on the same day of their surrender before that court in connection with Cr.No.86 of 2017 on the file of the respondent.



2. Heard the learned counsel appearing for the petitioners, the learned Government Advocate (Crl.Side), appearing for the respondents 1 & 2 and the learned counsel appearing for the third respondent/defacto complainant.

WEB COPY

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 I Additional District and Sessions Judge Cum Special Judge, P.C.R. Court, Trichy, is directed to consider the bail petition filed by the petitioner in connection with Crime No.86 of 2017, on merits and in accordance with law.

4. The learned counsel for the petitioners and the learned counsel appearing for the defacto complainant agreed that the bail application will be moved on 12.03.2018. The learned counsel for the petitioners submitted that the petitioners will surrender on 12.03.2018, before the Court concerned. On such surrender, the learned I Additional District and Sessions Judge Cum Special Judge, P.C.R. Court, Trichy shall consider the bail application and dispose of the same on merits and in accordance with law, after hearing the objection of the de-facto complainant.

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

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The I Additional District and Sessions Judge Cum Special Judge, P.C.R. Court, Trichy.
2. The Deputy Superintendent of Police, Lalgudi Taluk, Trichy District.
3. The Inspector of Police, Kallakudi Police Station, Trichy District.
4. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+1CC to Mr. N. Anandakumar, Advocate, SR.No. 51240

+1CC to Mr. T. Lenin Kumar, Advocate, SR.No. 51175

CRL.O.P. (MD) No.16164 of 2017