



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.05.2018

CORAM:

THE HONOURABLE MRS.JUSTICE R.THARANICRL.O.P.(MD)No.6628 of 2018

WEB COPY

Bailu @ Manganese

... Petitioner

-Vs-

1. The Deputy Superintendent of Police,
Umatchikulam Division,
Madurai District.

2. The Inspector of Police,
M.Chatrapatti Police Station,
Madurai District.
(Crime No.44 of 2018)

3. Mathubalan
4. Pushpam
5. Ramar
6. Lakshmi
7. Latha

... Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code praying for a direction to the III Additional District and Sessions Judge (PCR Cases), Madurai to consider the bail application of the petitioner on the same day of his surrender in Crime No.44 of 2018 on the file of the second respondent police.

For Petitioner
For R-1 & R-2

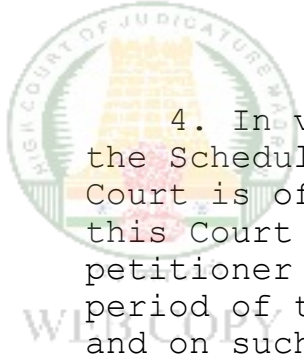
: Mr.S.Pakalavan
: Mr.M.Asokan
Government Advocate

O R D E R

The offence alleged against the petitioner is that he participated in a group which attacked the complainant and his men. Case is registered under Sections 147, 148, 341, 324 of I.P.C. r/w. 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST Act and Section 3 of TNPPDL Act.

2. On the side of the petitioner, it is stated that some of the co-accused filed a bail petition in Crl.O.P.No.5878 of 2018 dated 13.04.2018 and the same was allowed with a direction to consider the bail petition on the same day of surrender.

3. Respondents admit that some of the co-accused has got favourable orders, from the High Court.



4. 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 III Additional District and Sessions Judge (PCR Cases), Madurai is directed to consider the bail petition filed by the petitioner in connection with the Crime No.44 of 2018, on the same day, on merits and in accordance with law, after issuing notice to the de-facto complainant/victim under Section 15 (A) of the SC/ST Act.

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

Sd/-
Vacation Officer

/True Copy/

Sub Assistant Registrar

To

1. The Deputy Superintendent of Police,
Umatchikulam Division,
Madurai District.
2. The Inspector of Police,
M.Chatrapatti Police Station,
Madurai District.
(Crime No.44 of 2018)
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy To:

The III Additional District and Sessions Judge (PCR Cases),
Madurai.

+1CC to Mr.S.Pakalavan Advocate in SR.No.65077.

AKV

DS/RSK/SAR-3 :08.05.2018: 2P/6C

CRL.O.P.(MD)No.6628 of 2018
03.05.2018