



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2018

CORAM:

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

CRL.O.P. (MD)No.7185 of 2018

Arumugam ... Petitioner/Accused No.2

-vs-

1.State rep. by
The Deputy Superintendent of Police,
Tirumangalam, Madurai District.

2.State rep. By
The Inspector of Police,
Astinpatti Police Station,
Madurai District.

(Crime No.342 of 2017) ... Respondents 1 & 2

3.Murugesan ... Respondent / De-facto complainant

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the learned III Additional District and Sessions Judge, P.C.R. Court, Madurai to consider the bail application on the same day on merits filed by the petitioner in Crime No.342/2017 on the file of the respondent police.

For Petitioner : Mr.P.Ammavasai

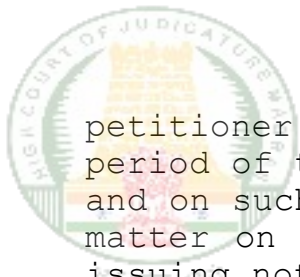
For R.1 & R.2 : Mr.K.K.Ramakrishnan
Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest for the offences punishable under Section 294(b) IPC and Sections 3(1)(r) & 3(1)(s) of SC & ST (Prevention of Atrocities) Act in Crime No.342 of 2017 on the file of the respondent police, has moved this petition seeking a direction to the III Additional District and Sessions Judge (PCR Court), Madurai to consider the bail application of the petitioner on the same day of her surrender.

2. Heard both sides and perused the records.

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 Judge 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.

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

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

1. The III Additional District and Sessions Judge (P.C.R.),
Madurai.
2. The Deputy Superintendent of Police,
Tirumangalam, Madurai District.
3. The Inspector of Police,
Astinpatti Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CRL.O.P.(MD)No.7185 of 2018
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GK

RAM/JC/SAR 3/30.05.2018/2P/5C