



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.05.2018

CORAM:

THE HONOURABLE MRS.JUSTICE R.THARANI

CRL.O.P.(MD)No.7664 of 2018

WEB COPY

Marisami

... Petitioner/Accused No.2

-Vs-

1. The State represented by
The Deputy Superintendent of Police,
Aruppukkottai,
Virudhunagar District.

2. The Inspector of Police,
Aviyur Police Station,
Madurai District.
(Crime No.42 of 2018)

... Respondents/Complainant

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code praying to direct the Principal District and Sessions Judge, (PCR Court), Virudhunagar District at Srivilliputhur to consider the bail application of the petitioner on the very same day of their surrender in Crime No.42 of 2018 on the file of the respondent police.

For Petitioner	: Mr.S.Sivaprakash
For Respondents	: Mr.K.Suyambulinga Bharathi Government Advocate

O R D E R

The offence alleged against the petitioner is that he abused the de-facto complainant with filthy language and attacked him with dire consequences and hence, a case has been registered against him in Crime No.42 of 2018 for the offences punishable under Sections 294(b), 323, 341, 506(i) of I.P.C. Section 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST (Prevention of Atrocities) Act.

2. On the side of the petitioner, it is stated that the injured has been discharged from the hospital and this is a case and case in counter and A1 was arrested and released on bail in Crl.M.P.No.1701 of 2018 dated 17.04.2018 by the Principal District and Sessions Judge, Srivilliputhur, Virudhunagar District.

<https://hcservices.courts.gov.in/hcservices/> On the side of the Respondents, it is stated by the learned Government Advocate that the injured has been treated as out-patient and A1 was arrested and released on bail.



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 Principal District and Sessions Judge, (PCR Court), Virudhunagar District at Srivilliputhur is directed to consider the bail petition filed by the petitioner in connection with the Crime No.42 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/
Assistant Registrar (RTI)/
Vacation Officer,

/True copy/

Sub Assistant Registrar

To

1. The Principal District and Sessions Judge, (PCR Court),
Virudhunagar District at Srivilliputhur.
2. The Deputy Superintendent of Police,
Aruppukkottai,
Virudhunagar District.
3. The Inspector of Police,
Aviyur Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CRL.O.P. (MD) No.7664 of 2018
09.05.2018

LS/AKV

KK/KKR/11.05.2018/SAR-4/2P-5C