



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.05.2018

CORAM:

THE HONOURABLE MRS.JUSTICE R.THARANI

CRL.O.P. (MD) No.7786 of 2018

WEB COPY

Uthiramoorthi

... Petitioner/Accused No.2

-Vs-

1.The Deputy Superintendent of Police,
Cheranmahadevi Division,
Tirunelveli District.

2. The Inspector of Police,
Munnerpallam Police Station,
Tirunelveli District.
(Crime No.160 of 2018)

... Respondents/Complainants

3.Esakkimuthu

... 3rd Respondent/De-facto complainant

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code praying to direct the learned II Additional District and Sessions Judge (PCR Court), Tirunelveli to accept the surrender of the petitioner and consider his bail application on the same day on merits relating to Crime No.160 of 2018 on the file of the second respondent police.

For Petitioner
For R-1 and R-2

: Mr.M.Nallamuthu
: 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 by mentioning his caste name and hence, a case has been registered against him in Crime No.160 of 2018 for the offences punishable under Sections 294(b), and 506(ii) 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 no one sustained injury in the alleged occurrence.

3. On the side of the respondents, it is stated by the learned Government Advocate that only a wordy quarrel arose between the petitioner and the de-facto complainant and no one sustained injury.



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 II Additional District and Sessions Judge (PCR Court), Tirunelveli is directed to consider the bail petition filed by the petitioner in connection with the Crime No.160 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 II Additional District and Sessions Judge (PCR Court),
Tirunelveli.
2. The Deputy Superintendent of Police,
Cheranmahadevi Division,
Tirunelveli District.
3. The Inspector of Police,
Munnerpallam Police Station,
Tirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.M.Nallamuthu, Advocate, SR.No.65197

CRL.O.P. (MD) No.7786 of 2018
09.05.2018

LS/AKV