



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.05.2018

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WEB COPY

THE HON'BLE MRS.JUSTICE T.KRISHNAVALLI

Crl.O.P.(MD) No.8557 of 2018

- 1.R.Joseph
- 2.S.Arulprakasam
- 3.K.Syed Ibrahim @ Syed Ibbrahimshah
- 4.V.Pandiselvam @ Pandiyan ...Petitioners/Accused Nos.1 to 4

-Vs-

- 1.The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Thiruppathur Sub Division,
Sivagangai District.
- 2.The Inspector of Police,
Ulagampatti Police Station,
Sivagangai District.
(Crime No.17 of 2018) ... Respondents / Complainants
- 3.Kumar ...Respondent/Defacto complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the District and Sessions Court (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Sivagangai to accept the surrender of the petitioners/Accused Nos.1 to 4 and consider the petitioner's bail application and grant bail on the same date of surrender itself in Crime No.17 of 2018 dated 18.05.2018 on the file of the second respondent police.

For Petitioners : Mr.I.Pinaygash
For R1 & R2 : Ms.M.Anantha Devi ,
Government Advocate(Crl.side)

O R D E R

This petition has been filed by the petitioners to direct the District and Sessions Court (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Sivagangai to accept the surrender of the petitioners/Accused Nos.1 to 4 and consider the petitioner's bail application and grant bail on the same date of surrender itself in Crime No.17 of 2018 dated 18.05.2018 on the file of the second respondent police.



2. Ms. M. Anantha Devi, learned Government Advocate (Crl. side) takes notice for the respondents 1 and 2.

3. Heard, the learned counsel appearing for the petitioners and the learned Government Advocate (Crl. side) appearing for the State.

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 petitioners are 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 District and Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Sivagangai is directed to consider the bail petition filed by the petitioners on the same day in connection with Crime No. 17 of 2018, on merits and in accordance with law, after issuing notice to the victims under Section 15 (A) of the SC/ST Act.

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

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

1. The District and Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Sivagangai.
2. The Deputy Superintendent of Police, O/o. The Deputy Superintendent of Police, Thiruppathur Sub Division, Sivagangai District.
3. The Inspector of Police, Ulagampatti Police Station, Sivagangai District.
4. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

Copy to:

The Section Officer, Criminal Section,
Madurai Bench of Madras High Court, Madurai (2 Copies)

+1CC to Mr. I. Pinaygash, Advocate, SR.No. 66071

Crl.O.P. (MD) No.8557 of 2018
23.05.2018