



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.05.2018

CORAM

THE HON'BLE MRS.JUSTICE T.KRISHNAVALLI

Crl.O.P.(MD) No.8671 of 2018

J.Balaganesan

... Petitioner/ Accused No.1

-Vs-

1.State rep. by
Assistant Commissioner of Police,
Tirunelveli City,
Tirunelveli District.

2.The Inspector of Police,
Tirunelveli Medical College Police Station,
Tirunelveli City.
(Crime No.30 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 learned II Additional Sessions Judge, (PCR Court), Tirunelveli, Tirunelveli District to consider the petitioner's bail application on the date of surrender on the same day in Crime No.30 of 2018 on the file of the Tirunelveli Medical College Police Station, Tirunelveli City.

For Petitioner : Mr.K.Prabhu

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

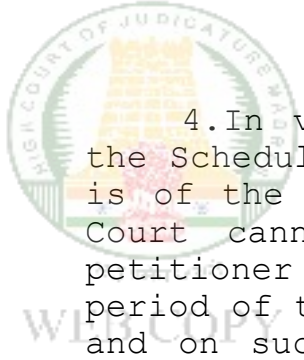
O R D E R

This petition has been filed by the petitioner to direct the learned II Additional Sessions Judge, (PCR Court), Tirunelveli, Tirunelveli District, to consider the petitioner's bail application on the date of surrender on the same day in Crime No.30 of 2018 on the file of the Tirunelveli Medical College Police Station, Tirunelveli City.

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

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3.Heard, the learned counsel appearing for the petitioner 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 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 Sessions Judge, (PCR Court), Tirunelveli, Tirunelveli District is directed to consider the bail petition filed by the petitioner on the same day in connection with Crime No. 30 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/-
Vacation Officer

/True copy/

Sub Assistant Registrar

To

1. The II Additional Sessions Judge,
(PCR Court), Tirunelveli,
Tirunelveli District.
2. The Assistant Commissioner of Police,
Tirunelveli City,
Tirunelveli District.
3. The Inspector of Police,
Tirunelveli Medical College Police Station,
Tirunelveli City,
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
5. The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai (2 Copies)

+1cc to M/s. Mr. K. Prabhu, Advocate, SR.No.66022.

Cr1.O.P. (MD) No.8671 of 2018
23.05.2018

MSA/IS

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RAM/RSK SKN/SAR 3/24.05.2018/2P/8C