



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.12.2018

CORAM:

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

CrI.O.P. (MD).No. 21899 of 2018

WEB COPY

1.G.Malaichamy

2.Chellam @ Malaiveeran

..Petitioners/Accused No.1 &3

Vs.

1. The Deputy Superintendant of Police,
Melur, Madurai District.

.. Respondent No.1/Investigating Officer

2. The State through
The Inspector of Police,
Melur Police Station,
In Crime No.615 of 2018
Tuticorin District.

.. Respondent No.2/Complainant

3. Thirupathi

.. 3rd Respondent / Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to direct the III Additional District Sessions Judge (PCR Court), Madurai to consider and pass orders on the bail application of the petitioner on the same day in Crime No.615/2018 pending on the file of the respondent police.

For Petitioners : Mr.R.Rajamohan

For R-1 & R-2 : Mr. A. Robinson,
Government Advocate (Criminal Side).

O R D E R

The learned counsel for the petitioners would submit that there are two petitioners in this case and that they were unable to surrender on the particular day and thereby they were unable to comply with the earlier order and hence, he would pray that the order may be granted. He would further submit that this is the second application before this Court.

2.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 III Additional District Sessions Judge (PCR Court), Madurai, shall deal and dispose the matter on the same day on merits and in accordance with law.

3. In due compliance of Section, 15-A of the SC/ST Act, the petitioners shall serve advance notice of surrender and bail two



clear days before the intended date of surrender enclosing additional copies on the Special Public Prosecutor of the concerned Court and the Special Public Prosecutor shall intimate it to the defacto complainant through the respondent police.

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

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

- 1.The III Additional District Sessions Judge (PCR Court),
Madurai.
- 2.The Deputy Superintendant of Police,
Melur, Madurai District.
- 3.The Inspector of Police,
Melur Police Station,
Tuticorin District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.R.Rajamohan ,Advocate Sr.No.99913

LS

KM/PM/SAR4/26.12.2018/2P/6C

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12.12.2018