



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.06.2018

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

WEB COPY

CRL.O.P. (MD) No.8949 of 2018

R.Karthick

... Petitioner/Accused No.8

-Vs-

1.The Deputy Superintendent of Police,
Aravakurichi Divsion, Karur District.

2.The Inspector of Police,
Chinnadharapuram Police Station,
Karur District.
(Cr.No.98 of 2018)

...Respondents 1 & 2/
Complainants

3.Dinakaran

...3rd Respondent/
Defacto Complainant

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code, to direct the learned District and Sessions Judge (PCR Court), Karur to accept the surrender of the petitioner and consider his bail application on the same day on merits in relating to Crime No.98 of 2018 on the file of the second respondent police.

For Petitioner : Mr.AN.Ramanathan

For R1 and R2 : Mr.Prabhu Ramachandran,
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition is filed for issuing a direction to the learned District and Sessions Judge (PCR Court), Karur to accept the surrender of the petitioner and consider his bail application on the same day on merits in relating to Crime No.98 of 2018 on the file of the second respondent police.

2.Heard the learned Counsel for the petitioner and the learned Government Advocate (Crl.side).

3. According to the petitioner that the second respondent has registered a case in Crime No.98 of 2018, for offences under Sections 147, 148, 294(b), 323, 324, 506(ii) of IPC and Sections 3(1)(r) of SC/ST Prevention of Atrocities Amendment Act, 2015, on the basis of the complaint given by the defacto complainant / third respondent herein.



4. The learned Government Advocate (Crl.side) appearing for the respondent Nos. 1 and 2 would submit that the injured person has already been discharged from the hospital on 14.05.2018.

5. 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 learned District and Sessions Judge (PCR Court), Karur within a period of two weeks from the date of receipt of a copy of this order and file a petition for bail and on such surrender, the learned District and Sessions Judge (PCR Court), Karur is directed to consider the bail petition filed by the petitioner in connection with the Crime No.98 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.

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

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The District and Sessions Judge (PCR Court),
Karur.

2. The Deputy Superintendent of Police,
Aravakurichi Division,
Karur District.

3. The Inspector of Police,
Chinnadharapuram Police Station,
Karur District.

4. The Additional Public Prosecutor,
Madurai Bench Of Madras High Court,
Madurai.

+1CC to Mr.AN.Ramanathan Advocate in SR.No.66987.

TRP

DS/SKN-RSK/SAR-3 :12.06.2018: 2P/6C

<https://hcservices.ecourts.gov.in/hcservices/>

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