

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 11.06.2018****CORAM:****THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR****CRL.O.P. (MD) No.9317 of 2018**

1.Arun @ Arunkumar
2.Prasanth
3.Kaviyarasan

... Petitioners/Accused No.3,5 & 8

-vs-

1.The Deputy Superintendent of Police,
Vallam, Thanjavur District.

2.The Inspector of Police,
Vallam Police Station,
Thanjavur District.
(Crime No.89 of 2018)

... Respondents 1&2/Complainants

3.Sethupathy

... 3rd Respondent/Defacto Complainant /Victim

4.Saravanan

... 4th Respondent / Injured/Victim

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the Special Judge for SC/ST (Prevention of Atrocities) Act / the learned I Additional District and Sessions Judge, P.C.R. Court, Thanjavur to consider the bail application of the petitioners on the same day of their surrender in Crime No.89 of 2018 on the file of the respondent police.

For Petitioners : Mr.R.Rajaraman

For R.1 & R.2 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. Side)**ORDER**

The petitioners, who apprehend arrest for the offences punishable under Sections 147, 148, 294(b), 324, 506(ii) IPC, r/w Sections 3(1) of the Tamil Nadu Public Property (Prevention of Damages and Loss) Act, 1992 and Sections 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST (POA) Amendment Act, 2015, in Crime No.89 of 2018 on the file of the respondent police, have moved this petition seeking a direction to the learned I Additional District and Sessions Judge (P.C.R. Court), Thanjavur to consider their bail application on the same day of their surrender.



2. The learned Government Advocate appearing for the official respondents, on instructions, would submit that the injured was discharged from the Hospital and would further submit that there are no previous cases against the petitioners.

3. Heard both sides and perused the records.

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 concerned 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 Special Judge shall deal with the matter on the same day on merits and in accordance with law, after issuing notice to the victims under Section 15 (A) of the SC/ST Act.

5. This Criminal Original Petition is disposed of with the above directions.

Sd/-
Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

1. The I Additional District and Sessions Judge,
P.C.R. Court,
Thanjavur.

2. The Deputy Superintendent of Police,
Vallam, Thanjavur District.

3. The Inspector of Police,
Vallam Police Station,
Thanjavur District.

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

+1cc to Mr.R.Rajaraman, Advocate, SR.No.67721.

CRL.O.P.(MD)No.9317 of 2018
11.06.2018

gk

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

RAM/SB/SAR 3/26.06.2018/2P/6C