



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.06.2018

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

Cr1.O.P.(MD) No.9548 of 2018

1.Santhosh
2.Pavidran
3.Vijay
4.Elavarasan
5.Poopathi
6.Purushothaman ... Petitioners / A1, A2, A6, A7, A9 & A10

vs.

State rep.by
1.The Deputy Superintendent of Police
Pattukottai Sub Division
Thanjavur District ... 1st Respondent / 1st Respondent
2.The Inspector of Police
Athiramapattinam Police Station
Thanjavur District
In Crime No.123 / 2018 ... 2nd Respondent / Complainant
3.Dhanesh ... 3rd Respondent / De facto Complainant

PRAYER: Criminal original petition filed, under Section 482 Cr.P.C., to direct the learned Additional District and Sessions Court (P.C.R.Cases), Thanjavur, to receive the bail application and surrender petition in the above Cr.No.123 of 2018, on the file of the second respondent Police and dispose of the same in accordance with law.

For Petitioners : Mrs.M.Seeni Ragmath Nisha

For Respondents : Mr.K.Suyambulingabharathi
Govt. Advocate (Cr1.Side) for R1 & R2

O R D E R

The petitioners, who apprehend arrest at the hands of the respondent - Police for the offences punishable under Sections 147, 148, 294(b), 324, 506(ii) I.P.C., r/w Sections 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST (POA) Amendment Act, 2015, in Crime No.123 of 2018, on the file of the second respondent, have moved this criminal original petition seeking for a direction to the learned 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 (Criminal Side) appearing for the respondent - Police, on instructions, would submit that the injured have been discharged from the Hospital on 09.06.2018 and the co-accused have been released on bail.

3. Heard both sides and perused the records.

4. In view of the amendments made in the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, this Court is of the view that the usual directions, which were issued by this Court cannot be issued routinely in all cases. Therefore, the petitioners are directed to surrender before the learned Additional District and Sessions Judge, P.C.R.Court, Thanjavur, within a period of two weeks from the date of receipt of a copy of this Order and on such surrender, the learned Additional District and Sessions Judge, P.C.R.Court, Thanjavur, 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 SC/ST Act.

5. The criminal original petition is disposed of with the above directions.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To:

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

2. The Deputy Superintendent of Police,
Pattukottai Sub Division,
Thanjavur District.

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

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

+1cc to M/S.M.Seeni Sulthan, Advocate SR.No. 68268

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13.06.2018