



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2018

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P. (MD) No.18935 of 2018

WEB COPY

- 1.Ravichandran
- 2.Sooriya
- 3.Devendiran
- 4.Manikandan
- 5.Durairasu
- 6.Veeraiyan
- 7.Packiyaraj

... Petitioners/Accused No.1 to 7

-vs-

- 1.The State rep.by
The Deputy Superintendent of Police,
Orathanadu, Thanjavur District.

- 2.The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.
(Crime No.329 of 2018) ...Respondents/Complainants

- 3.Gayathiri
- 4.Anestraj ...3rd & 4th Respondents /Defacto Complainants

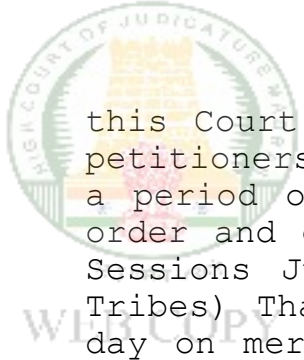
Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the learned I Additional District & Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Thanjavur District to accept the surrender of the petitioners and consider the petitioners bail application and grant bail on the date of surrender itself in Crime No.329 of 2018, dated 26.09.2018 on the file of 2nd respondent police.

For Petitioners : Mr.C.Mayilvahana Rajendran
For R1 & R2 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. side)

ORDER

This petition has been filed to direct the learned I Additional District & Sessions Judge, (Special Court for Scheduled Castes and Scheduled Tribes) Thanjavur District, to consider the bail application on same day on their surrender in connection with Crime No.329 of 2018 for offences under Sections 147,341, 294(b) of IPC, Section 4 of TNPHW Act and Section 3(1)(r)(s), 3(2)(va) of SC/ST (POA) Act on the file of the second respondent police.

2.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 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 I Additional District & Sessions Judge, (Special Court for Scheduled Castes and Scheduled Tribes) Thanjavur District, 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.

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

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1.The I Additional District & Sessions Judge,
(Special Court for SC/ST)Thanjavur District.

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

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

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

+1CC to Mr.C.Mayilvahana Rajendran, Advocate, SR.N91713.

CRL.O.P.(MD)No.18935 of 2018
25.10.2018

DAS

ES/SKN/RSK/SAR 1/01.11.2018/2P/6C