



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.12.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Crl.O.P.(MD).No. 22038 of 2018

Kandasamy ..Petitioner / Accused No.2
Vs.

1.State represented by
The District Superintendent of Police,
Sankarankovil, Tirunelveli District.

2.The Inspector of Police,
Ayyapuram Police Station,
Crime No.118/2018
Tirunelveli district. ..Respondents / Complainants

3.Arikrishnan .. Respondent / Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to direct the learned II Additional Sessions Judge (PCR Court) Act Cases Tirunelveli Tirunelveli District to consider the petitioners bail application on merits on the date of surrender on the same day in Crime No.118/2018 for offences U/s.294(b), 323, 324, 506(2) of IPC r/w.3(1)(r) 3(1) (s) 3(2) (VA) of SC/ST Act (POA) Amendment Act 2015 on the file of the Inspector of Police, Ayyapuram Police Station, Tirunelveli District.

For Petitioner : Mr. J.Senthil Kumar
For R-1 and R-2 : Mr. A. Robinson,
Government Advocate (Crl. Side).

O R D E R

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 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 II Additional Sessions Judge (PCR Court) Act Cases, Tirunelveli Tirunelveli District, shall deal and dispose the matter on the same day on merits and in accordance with law.

2.The learned Government Advocate (criminal side) would submit that there are three previous cases against the petitioner



and he has also raised serious objection.

3. In due compliance of Section 15-A of the SC/ST Act, the petitioner 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.

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

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS-IV)

To

1. The II Additional Sessions Judge,
(PCR Court) Act Cases ,
Tirunelveli,
Tirunelveli District.
2. The District Superintendent of Police,
Sankarankovil, Tirunelveli District.
3. The Inspector of Police,
Ayyapuram Police Station,
Tirunelveli district.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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