



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2018

CORAM:

THE HON'BLE MR.JUSTICE D.KRISHNAKUMARCRL.O.P.(MD)No.12255 of 2018

WEB COPY

1.Eswari
2.Jothimani
3.Pavalakodi @ Pavalam
4.Pommuthai

... Petitioners

-vs-

1.The Deputy Superintendent of Police,
Uthamapalayam, Theni District.

2.The Inspector of Police,
Rayappanpatti Police Station,
Theni District.

3.Mariammal

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the Special Court (The Principal Sessions Judge) Theni, to consider the bail application on the same day, on merits, filed by the petitioners in Crime No.200 of 2018 pending on the file of the second respondent police.

For Petitioners : Mr.D.Malaichamy

For R.1 & R.2 : Mr.K.K.Ramakrishnan
Additional Public Prosecutor

ORDER

The petitioners, who apprehend arrest in respect of Crime No.200 of 2018 pending on the file of the second respondent police, have moved this petition seeking a direction to the learned Special Judge, Principal Sessions Court, Theni, to consider the bail application of the petitioners on the same day of their surrender.

2. Heard both sides and perused the records.

3. 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 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.

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

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar (CS-II)

To

1. The Special Judge,
Principal Sessions Court,
Theni.
2. The Deputy Superintendent of Police,
Uthamapalayam,
Theni District.
3. The Inspector of Police,
Rayappanpatti Police Station,
Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

GK

DS/RP/SAR-2 :26.07.2018:2P/6C

+1CC to Mr.D.Malaichamy Advocate in SR.No.13582.

CRL.O.P. (MD) No.12255 of 2018
19.07.2018