



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 20.11.2018
CORAM:

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

WEB COPY

Cr1.O.P.(MD).No.20543 of 2018

- 1.Karthikeyan
- 2.Eswaran
- 3.Saravanan
- 4.Babu
- 5.Balasubramanian
- 6.Vinothkumar
- 7.Karthikeyan
- 8.Senthilkumar
- 9.Shankar

... Petitioners

Vs.

- 1.The Deputy Superintendent of Police,
Karur District.
- 2.The State rep.by
The Inspector of Police,
Kulithalai Police Station,
Karur District.
In Crime No.176 of 2018.

- 3.Anushiya

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to permit the petitioners to surrender before the learned Principal District and Sessions Judge, Karur, in connection with Crime No.176 of 2018, on the file of the 2nd respondent police and file an application for the grant of bail on the same day and in the event of filing the same, the said application may be directed to be considered on the same day on merits and in accordance with law.

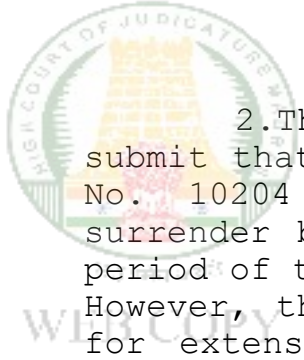
For Petitioners : Mr.M.Karunanithi

For R1 and R2 : Mr.A.Robinson,

Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition has been filed to permit the petitioners to surrender before the learned Principal District and Sessions Judge, Karur in connection with Crime No.176 of 2018, on the file of the second respondent police. On filing of such bail application, the learned Judge shall consider the same on the same day on merits and in accordance with law.



2.The learned Government Advocate (Criminal Side) would submit that this Court vide order dated 21.06.2018, in Crl.O.P.(MD) No. 10204 of 2018, granted permission to the petitioners to surrender before the learned Jurisdictional Special Court within a period of two weeks from the date of receipt of a copy of the order. However, they did not surrender. Thereafter, they filed a petition for extension of time and the time was extended by 10 days on 24.08.2018. Even then, the petitioners have not availed the opportunity. At this juncture, the learned counsel for the petitioners would submit that since there is miscommunication between the parties with regard to the surrender on a particular date, they were unable to comply with the order.

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 Principal District and Sessions Judge, Karur, shall deal and dispose the matter on the same day on merits and in accordance with law.

4. In due compliance of Section, 15-A of the SC/ST Act, the petitioners 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.

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

Sd/-

Assistant Registrar(Crl.side)

/True Copy/

Sub Assistant Registrar(CS-II)

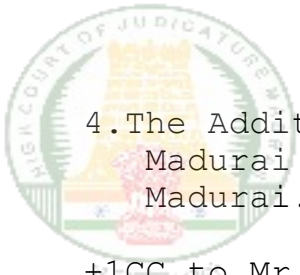
To

1.The Principal District and Sessions Judge,
Karur.

2.The Deputy Superintendent of Police,
Karur District.

3.The Inspector of Police,
Kulithalai Police Station,

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



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

+1CC to Mr.M.Karunanithi, Advocate, SR.No.96057

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DAS

ES/BK/SAR 2/13.12.2018/3P/6C