



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 05.12.2018

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.(MD)No.20621 of 2018

- 1.Velusamy
- 2.Muthumarisamy @ Kuttimarisamy
- 3.Chinnaveeramuthu @ Veeramuthu
- 4.Bommusamy
- 5.Seenivasagam
- 6.Kaliyammal
- 7.Veerasathaiya
- 8.Prabhakaran

... Petitioners

Vs.

- 1.The Deputy Superintendent of Police,
Vilathikulam, Tuticorin District.

- 2.State Rep.by
The Inspector of Police,
Sankaralingapuram Police Station,
Tuticorin District.
(Crime No.63 of 2018)

- 3.Periya Marimuthu
- 4.Shanmugaraj
- 5.Karuppasamy

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to direct the learned II Additional District and Sessions Judge (PCR) Court, Tirunelveli to accept the surrender of the petitioners and consider his bail application on the same day on merit to Crime No.62 of 2018, dated 06.11.2018.

For Petitioners : Mr.P.Subbaraj

For R1 & R2 : Mr.R.Anandharaj
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the learned II Additional District and Sessions Judge (PCR) Court, Tirunelveli to consider the bail application of the petitioners on the same day of their surrender in Cr.No.62 of 2018 , which is registered for the offence under Sections 147, 148, 294(b), 324, 506 (2) of IPC r/w Section 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, by the second respondent Police.



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

3. 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.

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

Sd/

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar (CS-IV)

To

1. II Additional District and Sessions Judge (PCR) Court,
Tirunelveli.

2. The Deputy Superintendent of Police,
Vilathikulam, Tuticorin District.

3. The Inspector of Police,
Sankaralingapuram Police Station,
Tuticorin District.

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

+1 cc to M/s. P. Subbaraj, Advocate, SR.No. 98686

gns

SS/SV/SAR 4/21.12.2018/2P/6C

CrI.O.P. (MD) No. 20621 of 2018
05.12.2018