



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.11.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Cr1.O.P. (MD) No.21066 of 2018

- 1.Dhanapal
- 2.Puvaneshwaran
- 3.Lakshmanan
- 4.Kathirvel

... Petitioners/Accused Nos.1to 4
Vs.

- 1.The Deputy Superintendent of Police,
Manamadurai Sub Division,
Manamadurai,
Sivagangai District.

- 2.The Inspector of Police,
Sipcot Police Station,
Sivagangai District.
(Crime No.48 of 2018)

- 3.S.Balamurugan
- ... Respondents/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to direct the learned Sessions Judge, Special Judge of Exclusive Trial of Cases under SC/ST (POA), Act 1989, Sivagangai to consider and dispose of the bail application of the petitioners in Crime No.48 of 2018 on the file of the second respondent on the same day of their surrender before the said Court.

For Petitioners	: Mr.P.Kathanraj Kumar
For R1 & R2	: Mr. A. Anandharaj, Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the learned Sessions Judge, Special Judge of Exclusive Trial of Cases under SC/ST (POA), Act 1989, Sivagangai to consider the bail application of the petitioners on the same day of their surrender in Cr.No. 48 of 2018, which is registered for the offence under Sections 147, 148, 294(b), 324, 506(ii) IPC r/w 3(1)(r), 3(1)(s) 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 Sessions Judge, Special Judge of Exclusive Trial of Cases under SC/ST (POA), Act 1989, Sivagangai, 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-II)

/True Copy/

Sub Assistant Registrar(cs-IV)

To

1. The Sessions Judge, (Special Judge of Exclusive Trial of Cases under SC/ST (POA), Act 1989),
Sivagangai.

2. The Deputy Superintendent of Police,
Manamadurai Sub Division,
Manamadurai,
Sivagangai District.

3. The Inspector of Police,
Sipcot Police Station,
Sivagangai District.

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

+1cc to Mr.P.Kathanraj Kumar Advocate in SR.No.97819

Cr1.O.P. (MD) No.21066 of 2018
28.11.2018

GNS

PSPM SAR4 06.12.2018 2P 6C

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