



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.11.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Crl.O.P. (MD) No.21034 of 2018

1.Raja @ Rajamanikandan
2.Selvakumar

... Petitioners/Accused Nos.1&2

Vs.

The State rep.by the
Sub-Inspector of Police,
Sattur Taluk Police Station,
Sattur.
(Crime No.281 of 2018)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to direct the learned Principal District and Sessions Judge (Special Court for PCR Cases), Virudhunagar District, Srivilliputhur to consider the petitioners' bail application on the same day of their surrender in Crime No.281 of 2018 on the file of the Sub-Inspector of Police, Sattur Taluk Police Station, Sattur.

For Petitioners : Mr.A.Mohamed Haneef
For Respondent : Mr. A. Robinson,
Government Advocate (Crl.side)

O R D E R

This Criminal Original Petition has been filed to direct the learned Principal District and Sessions Judge (Special Court for PCR Cases), Virudhunagar District, Srivilliputhur to consider the bail application of the petitioners on the same day of their surrender in Crime No.281 of 2018, which is registered for the offence under Sections 294(b), 323 IPC r/w Sections 3(1)(r)(s) SC/ST (Prevention of Atrocities) Amendment Act, 2015, by the 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 Principal District and Sessions Judge (Special Court for PCR Cases), Virudhunagar District, Srivilliputhur, 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-I)

To

1. The Principal District and Sessions Judge
(Special Court for PCR Cases),
Srivilliputhur, Virudhunagar District.
2. The Sub-Inspector of Police,
Sattur Taluk Police Station,
Sattur.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
4. The Special Public Prosecutor,
Principal District and Sessions Judge
(Special Court for PCR Cases),
Srivilliputhur, Virudhunagar District.

+ 1 CC TO Mr.A.MOHAMED HANEEF, ADVOCATE IN SR No. 97840

GNS

TE/BK/SAR-1 : 07/12/2018 : 2P/6C

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