



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.11.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Crl.O.P. (MD) No.21239 of 2018

1.Thathinesh @ Manikandan
2.Suriya

... Petitioners

Vs.

1. The Deputy Superintendent of Police,
Melur Circle,
Madurai District.

2. The State Rep.by
Inspector of Police,
Keelavalavu Police Station,
Madurai District.
(In Crime No.233 of 2018)

3. Sakthivel

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to pass an order permitting the petitioners to surrender before the learned III Additional Sessions Judge (PCR), Madurai in connection with Crime No.233 of 2018 on the file of the second 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 forthwith.

For Petitioners	: Mr.M.Jegadeesh Pandian
For R1 & R2	: Mr.A.Robinson, Government Advocate (Crl.side)

O R D E R

This Criminal Original Petition has been filed to direct the learned III Additional Sessions Judge (PCR), Madurai to consider the bail application of the petitioners on the same day of their surrender in Cr.No.233 of 2018, which is registered for the offence under Sections 147, 294(b), 323 IPC r/w Section 3(2) (Va) of SC/ST (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 III Additional Sessions Judge (PCR), Madurai, 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 petitioner 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-I)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The III Additional Sessions Judge (PCR), Madurai.
2. The Deputy Superintendent of Police,
Melur Circle, Madurai District.
3. The Inspector of Police,
Keelavalavu Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
5. The Special Public Prosecutor,
III Additional Sessions Judge (PCR),
Madurai.

+ 1 CC TO Mr. JAGADEESH PANDIAN, ADVOCATE IN SR No. 98207

GNS

TE/SV/SAR-1 : 06/12/2018 : 2P/7C

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

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