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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.09.2018

CORAM:
THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.[MD].No.15927 of 2018

1.Perinbaraj
2.Pradeesh
3.Jebaselvan @ Jebaselvin
4.Rajesh : Petitioners / Accused No.1 to 4

Vs.

1.The Deputy Superintendent of Police,
Valliyoor Range, Valliyoor,
Tirunelveli District.

2.The State represented by
The Sub Inspector of Police,
Palavoor Police Station,
Palavoor, Tirunelveli District. ...Respondents / Complainants

3.Mano ...Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to direct the learned II Additional Sessions Judge, Tirunelveli, Tirunelveli District to accept the surrender and subsequent bail application of the petitioners herein in connection with Crime No.187 of 2018, on the file of the Sub Inspector of Police, Palavoor Police Station, Palavoor, Tirunelveli District and later consider the same on merits and in accordance with law on the same day itself.

For Petitioners : Mr.S.Palani Velayutham
For R1 & R2 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. side)

ORDER

This Criminal Original Petition has been filed to direct the learned II Additional Sessions Judge, Tirunelveli, Tirunelveli District, to accept the surrender and subsequent bail application of the petitioners herein in connection with Crime No.187 of 2018, on the file of the Sub Inspector of Police, Palavoor Police Station, Palavoor, Tirunelveli District and later consider the same on merits and in accordance with law on the same day itself.

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2.The respondent Police has registered a case against the petitioners in Crime No.187 of 2018, on the file of the learned II

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Additional Sessions Judge, Tirunelveli, Tirunelveli District, for the offences punishable under Sections 147, 294(b), 323, 506 (ii), 379 (NP) I.P.C. and also Sections 3(1) (r) (s) and 3 (2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

3.The learned counsel appearing for the first petitioner seeks permission of this Court to withdraw this Criminal Original Petition.

Accordingly, this Criminal Original Petition is dismissed insofar as the first petitioner is concerned.

4.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 2 to 4 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 Sessions Judge, Tirunelveli, Tirunelveli District, shall deal with the matter on the same day on merits and in accordance with law, after issuing notice to the victims under Sections 147, 294(b), 323, 506 (ii), 379 (NP) I.P.C. and also Sections 3(1) (r) (s) and 3 (2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

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

Sd/
Assistant Registrar(CS-III)

/True copy/

Sub Assistant Registrar (CS-I)

To

1.The II Additional Sessions Judge, Tirunelveli,
Tirunelveli District.

2.The Deputy Superintendent of Police,
Valliyoor Range, Valliyoor,
Tirunelveli District.

3.The Sub Inspector of Police,
Palavoor Police Station,
Palavoor, Tirunelveli District.

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

+1cc to Mr.S.PALANI VELAYUTHAM, Advocate, SR.No.82691

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