

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.09.2019

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDRA

Crl.O.P.No.23890 of 2019

1. Kuppan
2. Palani
3. Chinna Thambi

...Petitioners

Vs

State by the Inspector of Police,
Kadaladi Police Station,
Tiruvannamalai District.
(Crime No.329/2019)

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Special Court for PCR cases, Thiruvannamalai to consider the bail application of the petitioners on the same day of the surrender in Crime No.329 of 2019 on the file of the respondent herein.

For Petitioners : Mr.B.Mahendra Naidu
For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

O R D E R

This Criminal Original petition has been filed for a direction to the Special Court for PCR cases, Thiruvannamalai, to consider the bail application of the petitioners on the same day of the surrender in Crime No.329 of 2019, since the offence is pertaining to the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. In view of the amendments made in the Scheduled Castes and 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 (PCR), Thiruvannamalai, 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

//True Copy//

Sub Assistant Registrar

To:

1. The Special Court for PCR cases,
Thiruvannamalai.
2. The Principal District and Sessions Judge (PCR)
Thiruvannamalai.
3. The Inspector of Police,
Kadaladi Police Station,
Thiruvannamalai District.
4. The Public Prosecutor,
High Court, Madras.

AKM/20.09.19/2P- 5C /

सत्यमेव जयते

Cr1.O.P.No.23890 of 2019

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