



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **N. SESHASAYEE**

CrI.O.P.[MD]No.3395 of 2019

WEB COPY

1.Kumar

2.Mariraj

: Petitioners/Accused

Vs.

1.The State represented by

Deputy Superintendent of Police,
Sankarankovil, Tirunelveli District.

2.The Inspector of Police,

Sankarankovil Town Police Station,
Tirunelveli District.

:Respondent/Complainant

(Cr.No.82 of 2019)

3.Marimuthu

: 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the learned II Additional Sessions Judge, (PCR Court) Act Cases, Tirunelveli, Tirunelveli District to consider the petitioner bail application on merits on the date of surrender on the same day in Cr.No.82 of 2019 for offences under Sections 452, 294(b), 506(2) of IPC r/w 3(1)(r), 3(1)(s), 3(2)(VA) of SC/ST Act (POA) Amendment Act, 2015 on the file of the Inspector of Police, Sankarankovil Town Police Station, Tirunelveli District.

For Petitioners

: Mr.J.Senthil Kumar

For R-1 and R-2

: Mr.A.P.G.Ohm Chairma Prabhu

Government Advocate (CrI.Side)

ORDER

This petition has been filed to direct the learned II Additional Sessions Judge, (PCR Court) Act Cases, Tirunelveli, Tirunelveli District, to accept the surrender of the petitioners and consider the petitioners' bail application on the same day on merits in relating to Crime No.82 of 2019 on the file of the 2nd 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 ten days from the date of receipt of a copy of this order and on such surrender, the learned II Additional Sessions Judge, (PCR Court) Act Cases, 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 Section 15-A of the SC/ST Act.



3.This Criminal Original Petition is disposed of with the above directions. However, the petitioners are directed to take private notice to the victims intimating the date of their surrender.

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Sd/-

Assistant Registrar (CS-III)

/ True Copy /

Sub Assistant Registrar

To

- 1.The II Additional Sessions Judge,
(PCR Court) Act Cases, Tirunelveli, Tirunelveli District
 - 2.The Deputy Superintendent of Police,
Sankarankovil, Tirunelveli District.
 - 3.The Inspector of Police,
Sankarankovil Town Police Station,
Tirunelveli District.
 - 4.The Government Advocate (Crl.Side),
Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.J.SENTHIL KUMAR, Advocate
(SR-51917[F] dated 06/03/2019)

Crl.O.P.[MD]No.3395 of 2019
06.03.2019

CMR
ES/13.03.2019/2P/6C