



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE. N. SESHASAYEE

Cr1.O.P.[MD].No.5048 of 2019

Pandi

: Petitioner

/Vs./

1.The Deputy Superintendent of Police,
Sattur Division, Virudhunagar District.

2.The Inspector of Police,
All Women Police Station,
Sattur, Virudhunagar District.
(Crime No.03 of 2018)

3.Pandiselvam

: Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the learned Principal District and Sessions Judge (PCR Unit), Virudhunagar District at Srivilliputtur, to consider the bail application filed by the petitioners herein and pass orders on the same day, if the petitioners surrender before the said Court in connection with the case in Crime No.03 of 2018 on the file of the respondent.

For Petitioner : Mr.P.Kathiresan

For R-1 and R-2 : Mr.V.Neelakandan

Additional Public Prosecutor

ORDER

This petition has been filed to direct the learned Principal District and Sessions Judge (PCR Unit), Virudhunagar District at Srivilliputtur, to consider the bail application filed by the petitioners herein and pass orders on the same day, if the petitioners surrender before the said Court in connection with the case in Crime No.03 of 2018 on the file of the respondent.

2. The petitioner herein is the 3rd accused in Crime No.3 of 2018 registered for offence *inter alia* under Sections 417 and 376 IPC.

3. The learned counsel appearing for the petitioner submitted that the petitioner was arrested in connection with this case and has been released on bail. Subsequently, the penal provisions of law was altered to include relevant provisions of SC/ST (Prevention of Atrocities) Act. The petitioner apprehends arrest under the provisions of SC/ST Act (Prevention of Atrocities) Act.



4. The learned Additional Public Prosecutor submits that the Investigating Agency is not intending to arrest the petitioner. The statement of the learned Additional Public Prosecutor is recorded.

5. 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 petitioner is 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 Principal District and Sessions Judge (PCR Unit), Virudhunagar District at Srivilliputtur, 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.

6. This Criminal Original Petition is disposed of with the above directions. However, the petitioner is directed to take private notice to the victims intimating the date of his surrender.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

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To

1. The Principal District and Sessions Judge (PCR Unit),
Virudhunagar District at Srivilliputtur.

2. The Deputy Superintendent of Police,
Sattur Division, Virudhunagar District.

3. The Inspector of Police,
All Women Police Station,
Sattur, Virudhunagar District.

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

+1CC TO MR.P.KARTHIRESAN, Advocate Sr. No. 62494

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SV2 (CO)

TR (30.04.2019) 2P 6C