



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE. N. SESHASAYEE

Crl.O.P.[MD].No.6017 of 2019

WEB COPY

Manikandan @ Nallathambi

: Petitioner

/Vs./

1.The Deputy Superintendent of Police [Rural],
Dindigul, Dindigul District.

2.The Inspector of Police,
Thadikombu Police Station, Dindigul District.
(Crime No.602 of 2018)

3.Shanmugasundari

: Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the learned Principal District Judge / Special Court, Dindigul, (PCR Act Cases) to consider the bail application on his surrender on the same day, if any petition filed by the petitioner in Crime No.477 of 2018 on the file of the 2nd respondent.

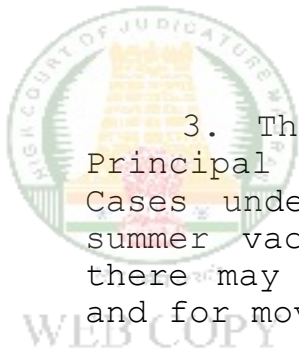
For Petitioner : Mr.N.Kamesh

For R-1 and R-2 : Mr.V.Neelakandan
Additional Public Prosecutor

ORDER

This petition has been filed to direct the learned Principal District Judge / Special Court, Dindigul, (PCR Act Cases) to consider the bail application on his surrender on the same day, if any petition filed by the petitioner in Crime No.477 of 2018 on the file of the 2nd respondent.

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 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 Judge / Special Court, Dindigul, (PCR Act Cases) 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. The learned counsel for the petitioner submits that the Principal Sessions Court in Dindigul is also the Special Court for Cases under the SC/ST (Prevention of Atrocities) Act and during summer vacation, only the Vacation Court functions and therefore there may be difficulty in surrendering before the Sessions Court and for moving appropriate application for bail.

4. In view of the above, this Court now directs that if the circumstance so arises that the petitioner has to surrender before the Vacation Court in Dindigul District, he shall so do it and the Vacation Court shall entertain the petition for bail.

5. 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 (CS-III)

/ True Copy /

Sub Assistant Registrar(CS)

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To

1.The Principal District Judge / Special Court,
Dindigul, (PCR Act Cases).

2.The Deputy Superintendent of Police [Rural],
Dindigul, Dindigul District.

3.The Inspector of Police,
Thadikombu Police Station, Dindigul District.

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

+1 CC to M/s.N.KAMESH, Advocate (SR-62807[F] dated 26/04/2019)

Cr1.O.P.[MD].No.6017 of 2019
25.04.2019

ES/07.05.2019/2P/6C