



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE. N.SESHASAYEE

Crl.O.P.[MD].No.6028 of 2019

WEB COPY

1.M.Selvarani
2.S.Valarmathi

: Petitioners

/Vs./

1.State represented by

The Assistant Commissioner of Police,
Tallakulam, Madurai.

2.State represented by

The Inspector of Police,
AWPS, Tallakulam Police Station, Madurai.
(Crime No.11 of 2019)

3.Mohanasanthiya

: Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the learned III Additional District & Sessions Judge (PCR Court), Madurai, to accept the surrender of the petitioners and consider their bail application on the same day on merits in relating to Crime No.11 of 2019 on the file of the respondent police.

For Petitioners : Mr.S.Mahendrapathy

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

Additional Public Prosecutor

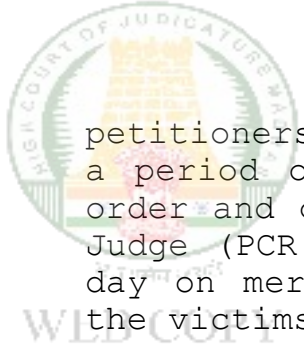
ORDER

This petition has been filed to direct the learned III Additional District & Sessions Judge (PCR Court), Madurai, to accept the surrender of the petitioners and consider their bail application on the same day on merits in relating to Crime No.11 of 2019 on the file of the respondent police.

2. The petitioners herein are arrayed as accused in Crime No.11 of 2019 for the offence under Sections 9, 10 and 11 of the Child Marriage Act, Sections 5(i), 5(i)(ii) and 6 of the POCSO Act and Sections 3(1)(r)(s), 3(2)(v) of the SC/ST Act and Sections 313 and 506(i) IPC.

3. The learned counsel appearing for the petitioners submitted that due to love affair between the alleged victim girl and A1, she has eloped with him.

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 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 III Additional District & Sessions Judge (PCR Court), Madurai, 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.

5. 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.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The III Additional District & Sessions Judge (PCR), Madurai.

2.The Assistant Commissioner of Police,
Tallakulam, Madurai.

3.The Inspector of Police,
AWPS, Tallakulam Police Station, Madurai.

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

+1cc to Mr.S.MAHENDRAPATHY, Advocate, SR.No. 63057

Cr1.O.P.[MD].No.6028 of 2019
25.04.2019

=

SM
KK/SAR/30.04.2019/ 2P- 6C