



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 26.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE. N.SESHASAYEE

Crl.O.P.[MD].No.6055 of 2019

WEB COPY

- 1.Saravanakumar
- 2.Elavarasan
- 3.Prasanth
- 4.Parthiban
- 5.Diwahar
- 6.Viji @ Vijayakumar
- 7.Karthick @ Karthickeyan
- 8.Prakash
- 9.Janath
- 10.Shanmugam

: Petitioners /Accused Rank A1 to A10
Vs.

- 1.The Deputy Superintendent of Police,
Musiri, Trichy District. : 1st Respondent

- 2.State represented by
The Inspector of Police,
Thottiyam Police Station, Trichy District.
(Crime No.93 of 2019) :2nd Respondent/Complainant

- 3.Devika :3rd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the learned I Additional District and Sessions Judge (PCR Court), Trichy District to consider the bail application of the petitioners on the same day on merits in the event of their surrender, in connection with Crime No.93 of 2019 on the file of the second respondent police.

For Petitioners : Mr.A.Azhageson

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

ORDER

This petition has been filed to direct the learned I Additional District and Sessions Judge (PCR Court), Trichy District to consider the bail application of the petitioners on the same day on merits in the event of their surrender, in connection with Crime No.93 of 2019 on the file of the second respondent police.



2. The learned Additional Public Prosecutor submitted that the victim is still taking treatment in the hospital as inpatient.

3. 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 I Additional District and Sessions Judge (PCR Court), Trichy 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. The Court may also ascertain the facts from the Special Public Prosecutor at the time of considering the bail application.

4. 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 (CS-III)

/ True Copy /

Sub Assistant Registrar(CS)

sm

To

1.The I Additional District and Sessions Judge (PCR Court),
Trichy District.

2.The Deputy Superintendent of Police,
Musiri, Trichy District.

3. The Inspector of Police,
Thottiyam Police Station, Trichy District.

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

+1 CC to M/s.A.AZHAGESON, Advocate (SR-62793[F] dated 26/04/2019)

Cr1.O.P.[MD].No.6055 of 2019

26.04.2019