



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.05.2019

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL.OP(MD)No.7236 of 2019

1.T.Karthikeyan
2.R.Maheswaran
3.S.Bala Karunanithi ... Petitioners/Accused Nos.3, 5 & 6

-vs-

1.The State of Tamil Nadu,
Represented through,
The Deputy Superintendent of Police,
Ramanathapuram.
2.The Inspector of Police,
Bazaar Police Station,
Ramanathapuram District.
(Crime No.72 of 2019) ... Respondents 1 & 2 / Complainants
3.Raja ... 3rd Respondent / De-facto
Complainant
4.Vinoth ... 4th Respondent / Victim

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the learned Principal Sessions Judge, Ramanathapuram under the SC/ST (Prevention of Atrocities) Amendment Act to consider and dispose the bail application to be filed by the petitioners / Accused Nos.3, 5 and 6 on the same day itself in connection with the case in Crime No.72 of 2019, on the file of the Inspector of Police, Bazaar Police Station, Ramanathapuram.

For Petitioners : Mr.T.R.Jeyapalam

For R.1 & R.2 : Mr.K.K.Ramakrishnan
Additional Public Prosecutor

ORDER

The petitioners, who apprehend arrest for the offences punishable under Sections 147, 294(b), 323, 336 and 506(i) IPC and Sections 3(1)(r) and 3(1)(s) of SC & ST (Prevention of Atrocities) Amendment Act, 2015 in Crime No.72 of 2019 on the file of the respondent police, has moved this petition seeking a direction to the learned Principal Sessions Judge, Ramanathapuram, to consider the bail application of the petitioners on the same day of their surrender.



2. Heard the learned Counsel for the petitioner and Mr.K.K.Ramakrishnan, learned Additional Public Prosecutor appearing for the State.

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 two weeks from the date of receipt of a copy of this order and on such surrender, the learned Principal Sessions Judge, Ramanathapuram, 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.

4. This Criminal Original Petition is disposed of with the above directions.

Sd/-

Vacation Officer/
Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)

Myr

To

1. The Principal Sessions Judge,
Ramanathapuram.
2. The Deputy Superintendent of Police,
Ramanathapuram.
3. The Inspector of Police,
Bazaar Police Station,
Ramanathapuram District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC TO MR.T.R.JEYAPALAM, Advocate Sr. No. 66096

CRL.OP(MD)No.7236 of 2019
16.05.2019

DKS (CO)

TR (21.05.2019) 2P 6C