



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.06.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

CrI.O.P(MD)No.7989 of 2019

1.Kumar @ Vijayakumar

2.Vivek @ Vivek Kumar

... Petitioners

Vs

1. The State represented by
The Deputy Superintendent of Police,
Jeeyapuram Division,
Tiruchirappalli District.

2. The Inspector of Police,
Somarasampettai Police Station,
Tiruchirappalli District.
(Crime No.100/2019)

3. Subramani

... Respondents

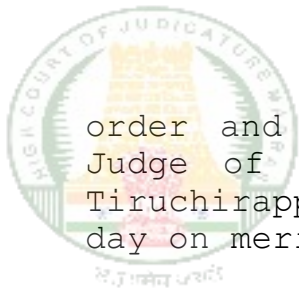
PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the First Additional District and Sessions Judge (PCR) Court, Tiruchirappalli, under SC/ST Act, to accept the surrender of the petitioners 1 and 2 herein and to consider their respective bail petitions on the same day and release them on bail pending investigation.

For Petitioners : Mr.C.Jeganathan
for M/s.Veera Associates
For R1 & R2 : Mr.A.Robinson
Government Advocate (CrI.side)

ORDER

This criminal original petition has been filed to direct the learned Sessions Judge, Special Judge of Exclusive Trial of Cases under SC/ST (POA), Act, 1989, Tiruchirappalli, to consider the bail application of the petitioners on the same day of their surrender in Cr.No.100 of 2019, which is registered for the offence under Sections 294(b), 429, 506(ii) of IPC r/w 3(1)(r), 3(1)(s) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989, by the second respondent Police.

2.In view of the amendments made in the Scheduled Castes and 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 Sessions Judge, Special Judge of Exclusive Trial of Cases under SC/ST (POA) Act, 1989, Tiruchirappalli, shall deal and dispose of the matter on the same day on merits and in accordance with law.

3. In due compliance of Section 15-A of the SC/ST Act, the petitioners shall serve advance notice of surrender and bail two clear days before the intended date of surrender enclosing additional copies on the Special Public Prosecutor of the concerned Court and the Special Public Prosecutor shall intimate it to the defacto complainant through the respondent police.

4. This criminal original petition is disposed of with the above directions.

sd/
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS)

To

1. The Deputy Superintendent of Police,
Jeeyapuram Division,
Tiruchirappalli District.
2. The Inspector of Police,
Somarasampettai Police Station,
Tiruchirappalli District.

+1 CC to M/s.VEERA ASSOCIATES, Advocate (SR-68159[F] dated
12/06/2019)

Cr1.O.P(MD)No.7989 of 2019
12.06.2019

rmi
MK (20.06.2019) 2P 4C