



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.09.2019

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.12068 of 2019

Paraman @ Parameshwaran

... Petitioner

Vs

1.The Deputy Superintendent of Police,
Sattur Sub Division,
Virudhunagar District.

2.The Inspector of Police,
Vembakottai Police Station,
Virudhunagar District.
(Crime No.402 of 2015)

3.M.Senthilkumar

4.M.Ashok Kumar

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the PCR Court, Srivilliputhur to consider the bail application to be file by the petitioner on the same day on his surrender in connection with crime No.402 of 2015 on the file of the 2nd respondent.

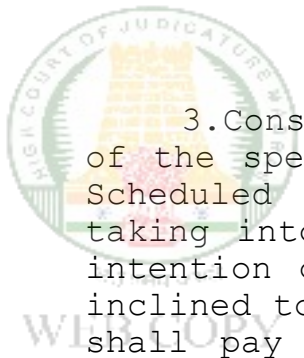
For Petitioner : Mr.M.Prabu

For Respondents : Mr.K.Suyambulinga Bharathi,
G.A. (Crl. Side) for RR1 and 2

O R D E R

This petition is filed for a direction to direct the PCR Court, Srivilliputhur to consider the bail application to be file by the petitioner on the same day on his surrender in connection with crime No.402 of 2015 on the file of the 2nd respondent.

2.The learned Government Advocate (criminal side) would submit that that the occurrence had been taken place in the year 2015 and immediately, the petitioner approached this Court in Crl.O.P.(MD) No.20472 of 2015, in which, this Court directed the petitioner to surrender and issued some directions. However, the said direction was not complied with by the petitioner for the reason best known to him. Now, the petitioner approached this Court for the aforesaid relief by filing a fresh petition even after four years.



3.Considering the facts and circumstances of the case, in view of the specific bar under Section 18 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and also taking into consideration of the possibility of misusing the pious intention of the Parliament against innocent person, this Court is inclined to give some direction with a condition that the petitioner shall pay a sum of Rs.2,500/- (Rupees two thousand only) to the credit of Chief Justice Relief Fund before this Court, within a period of two weeks from the date of receipt of a copy of this order.

4.On receipt of such payment, the Presiding Officer, PCR Court, Srivilliputhur is directed to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 402 of 2015 on the file of the 2nd respondent and pass appropriate orders in accordance with law after affording due opportunity to the victim under Section 15(a) of the SC/ST Act. The petitioner shall surrender before the concerned jurisdictional Court within a period of fifteen days from the date of the receipt of a copy of this Order.

5. In view of the above, the Criminal Original Petition stands allowed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar

To

- 1.The Presiding Officer, PCR Court, Srivilliputhur.
 - 2.The Deputy Superintendent of Police,
Sattur Sub Division, Virudhunagar District.
 - 3.The Inspector of Police,
Vembakottai Police Station, Virudhunagar District.
 - 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.M. PRABU, Advocate (SR-84903[F] dated 03/09/2019

Order made in
CRL.O.P (MD) No.12068 of 2019
03.09.2019

Arul
MS/13.09.2019/2P.6C

<https://hcservices.ecourts.gov.in/hcservices/>