



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

Crl.O.P. (MD)No.8423 of 2020

WEB COPY

Ismail : Petitioner/Accused No.3

Vs.

State represented by
The Inspector of Police
Sayalgudi Police Station,
Sayalgudi,
Ramanathapuram District. (In Crime No.205 of 2020)
: Respondent/Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Learned Principal District and Sessions Judge, (PCR Court), Ramanathapuram, under the SC/ST Act to consider the bail application on the surrender of the Petitioner in connection with Crime No.205 of 2020, pending investigation on the file of the Respondent on merits on the same day.

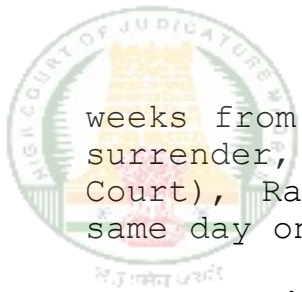
For Petitioner : Mr.S.A.S.Alaudeen
For Respondent : Mr.APG.Ohm Chairma Prabhu
Government Advocate

O R D E R

This petition has been filed seeking direction to direct the learned Principal District and Sessions Judge, (PCR Court), Ramanathapuram, to consider the bail application filed by the petitioner on the same day of his surrender.

2.The petitioner herein is the third accused in Crime No.205 of 2020, on the file of the respondent police. Immediately after registration of the case, the respondent police herein secured the accused Nos.1 and 2 and produced before the learned Principal District and Sessions Judge, (PCR Court), Ramanathapuram and then they were released on bail. Further, the person who sustained injury in the alleged occurrence has also been discharged from the hospital.

3.In the said circumstances, it reveals the fact that the part of the investigation has been completed. In otherwise, 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 petitioner is directed to surrender before the trial Court within a period of four



weeks from the date of receipt of a copy of this order and on such surrender, the learned Principal District and Sessions Judge, (PCR Court), Ramanathapuram, shall deal and dispose the matter on the same day on merits and in accordance with law.

4.In due compliance of Section 15-A of the SC/ST Act, the petitioner 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.

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

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.

To

1. Principal District and Sessions Judge, (PCR Court),
Ramanathapuram. (under SC/ST Act)
2. The Inspector of Police
Sayalgudi Police Station,
Sayalgudi, Ramanathapuram District.
(In Crime No.205 of 2020)

Copy to: The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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CS (20.08.2020) 2P 4C