



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.09.2020**

CORAM:

THE HONOURABLE **MR.JUSTICE R.PONGIAPPAN**

Crl.O.P. (MD)No.9046 of 2020

1.Suresh Babu ... 1st Petitioner / Sole Accused
2.Vignesh ... 2nd Petitioner/ Rank not known

Vs.

1.The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Paramakudi, Ramanathapuram District.

2.The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.
(Crime No.475 of 2020)

...1st and 2nd Respondents /
Complainant

3.Nagaraj ...3rd Respondent / De facto
complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Sessions Judge, Special Court for Exclusive Trial of Cases under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Ramanathapuram, to accept the surrender of the petitioners and consider the petitioners' bail application and grant bail on the same date of surrender itself in Crime No.475 of 2020, dated 20.08.2020.

For Petitioners : Mr.D.Senthil

For R-1 & R-2 : Mr.S.Chandrasekar
Additional Public Prosecutor

O R D E R

Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondents 1 and 2.



2. As per the submissions made by the learned Additional Public Prosecutor as of now, the case is pending against the petitioners for the offence punishable under Sections 294(b), 323, 324, 379 of I.P.C. and Section 3 (1) (r) and 3 (1) (s) of SC / ST (Prevention of Atrocities) Act, 1989.

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 four weeks from the date of receipt of a copy of this order and on such surrender, the learned Sessions Judge, Special Court for Exclusive Trial of Cases under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, 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 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 *de facto* complainant through the respondent police.

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

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

tsg

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.The Sessions Judge,
Special Court for Exclusive Trial of Cases
under Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act, 1989, Ramanathapuram.

2.The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Paramakudi, Ramanathapuram District.

3.The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.

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

+1 CC to Mr.D.Senthil,Advocate SR.No-16184.

Order made in
Crl.O.P. (MD)No.9046 of 2020
Dated:
04.09.2020

AP(10/09/2020) 3P 6C