

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.11.2020

CORAM:

THE HON'BLE MR.JUSTICE T.RAVINDRAN

CrI.O.P.No.17217 of 2020

1. Mahalingam
S/o, Govindan
2. Ranjitham
W/o, Mahalingam
3. Murugan
S/o, Govindan
4. Kumar
S/o, Govindan ...Petitioners/Accused No.2 to 5

-Vs-

The State represented by
The Inspector of Police,
Kambainallur Police Station,
Dharmapuri District. ... Respondent/Complainant

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to pass an order of direction, directing the Principal District and Sessions Judge, (Special Judge for SC & ST Act Cases), Dharmapuri to consider the bail application of the petitioners concerned in Crime No.737 of 2020 on the file of the Inspector of Police, Kambainallur Police Station, Dharmapuri District on their surrender on the same day.

For Petitioners: Mr.C.Prabakaran

For Respondent : Ms.M.Prabhavathi

Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been laid by the petitioners seeking direction to the Principal District and Sessions Judge, (Special Judge for SC & ST Act Cases), Dharmapuri, to consider the bail application of the petitioners on the same date of surrender pertaining to the Crime No.737 of 2020 on the file of the Kambainallur Police Station, Dharmapuri District.

2. The petitioners are arrayed as an accused in Crime No.737 of 2020 for the offences punishable under Section 174 (iii) IPC Altered into 306 IPC r/w Section 3(1)(r), (s) and 3 (2) (v) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015. Now according to the

petitioners, the case has been falsely foisted against them and they have not committed the offences put forth against them, and on account of the false case alleged against them, the petitioners are necessitated to seek for necessary direction.

3. Considering the facts and circumstances of the case and in the interest of justice, I deem it fit to issue the following directions.

(i) The petitioners shall surrender before the Principal District and Sessions Judge, (Special Judge for SC & ST Act Cases), Dharmapuri, within 10 days from the date of receipt of copy of this order.

(ii) On the petitioners surrendering before the Principal District and Sessions Judge, (Special Judge for SC & ST Act Cases), Dharmapuri, and filing the bail application, the Principal District and Sessions Judge, (Special Judge for SC & ST Act Cases), Dharmapuri, is directed to consider and dispose of the bail application as expeditiously as possible, preferably on the date of surrender in accordance with law.

4. Accordingly, the Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(II)

***Amended as per order of
this Court dated 03.02.2021
and made in Crl.MP.No.990/21
in Crl.OP.No.17217 of 2020**

**-s/d-
Assistant Registrar(CSII)
dt 04.02.2021**

//True Copy//

Sub Assistant Registrar

mfa

To

1.The Principal District and Sessions Judge,
(Special Judge for SC & ST Act Cases),
Dharmapuri.

2.The Inspector of Police,
Kambainallur Police Station,
Dharmapuri District.

3.The Public Prosecutor, High Court, Madras.
+lcc to Mr.C.Prabakaran, Advocate SR.35517

Crl.O.P.No.17217 of 2020

AD(CO)

CB(07/12/2020)

<https://hcservices.ecourts.gov.in/hcservices/>
A.SK(04.02.2021) .

**To be substituted
For the order already**

despatched 19.12.2020