



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.05.2020

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.5319 of 2020

1.Lakshmanan
2.Anbarasu ...Petitioners/Accused 1 & 2

Vs

1.The State by the
Deputy Superintendent of Police,
Thiruvadanai Division,
Ramnad District. ...1st Respondent/
Investigating Officer
2.The Inspector of Police,
Thiruvadanai Police Station,
Ramnad District. ...2nd Respondent/Complainant

3.Kuppamuthu ...3rd respondent/De-facto Complainant

PRAYER: Criminal Original Petition is filed Under Section 482 of Criminal Procedure Code, to direct the Principal District and Sessions Judge (Special Court for PCR Cases), Ramnad to consider their bail application on the same day of their surrender in respect of Crime No.140 of 2020 on the file of the second respondent pending investigation.

For Petitioner : Mr.D.Venkatesh
For Respondents 1 & 2 : Mr.A.Robinson,
Government Advocate (Crl.side)

ORDER

Heard the learned counsel on either side.

2. At the very out set, the petitioners counsel states that the second petitioner namely, Anbarasu has been arrested. Therefore, this Criminal Original Petition is closed as regards the second petitioner is concerned and that the second petitioner can apply for regular bail.

3. As regards the first petitioner, he only seeks a direction for permitting him to surrender and for consideration of the bail petition on the same day of surrender. The petitioner is shown as

<https://hservices.courts.gov.in/hservices/>



respondent for the offences under Sections 294(b), 323, 355 and 506 (ii) of IPC r/w 3(1) (r)(s) and 3(2)(Va) of the SC/ST (POA) Amendment Act, 2015.

4. I am of the view that notice to the third respondent in this Criminal Original Petition can be dispensed with. However, considering the current pandemic time, the first petitioner is given eight weeks time to surrender before the Special Court and apply for bail application on the same day of surrender. The learned Special Judge is directed to consider the first petitioner's bail petition and dispose it of on the same day of surrender. Since this direction will become infructuous, if the first petitioner is arrested, in the meanwhile, the respondents 1 & 2 are restrained from arresting the first petitioner till the expiry of the aforesaid eight weeks.

5. This Criminal Original Petition stands allowed on this terms. No costs.

Sd/-

Assistant Registrar (A.D.II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

- 1.The Deputy Superintendent of Police,
Thiruvadanai Division,
Ramnad District.
- 2.The Inspector of Police,
Thiruvadanai Police Station,
Ramnad District.
- 3.The Principal District and Sessions Judge
(Special Court for PCR Cases),
Ramnad.
4. The Additional Public Prodector,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P(MD)No.5319 of 2020

Dated: 13.05.2020

PU (18.05.2020) 2P 5C