



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.05.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.5407 of 2020

1.Suresh

2.Saranya

3.Subbaiah

... Petitioners/
Accused Nos.1, 2 & 5

Vs

1.State by Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
(Crime No.167/2020).

2.Packiyam

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the learned Sessions Judge cum P.C.R Court, Sivagangai to accept the surrender of the petitioner in connection with the Crime No.167/2020, pending investigation on the file of the respondent police and to consider.

For Petitioners : Mr.V.Kannan

For R1 : Mr.A.Robinson
Government Advocate (Crl.side)

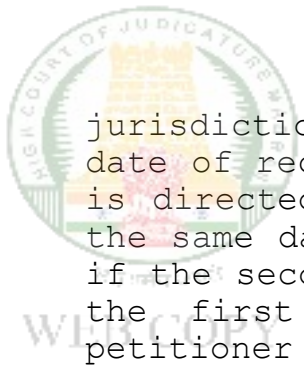
ORDER

The petitioners are shown as accused in Crime No.167 of 2020 registered on the file of the Inspector of Police, Manamadurai Police Station, Sivagangai District, for the offences under Sections 147, 294(b), 324, 506(ii) of IPC and Section 4 of TNPHW Act and Sections 3(1)(r), 3(1)(s) of SC/ST (POA) Act, 1989.

2.The learned counsel appearing for the petitioners reiterated the contentions set out in the original petition.

3.The learned Government Advocate (Crl.side) states that the petitioners 1 and 3 have already been arrested. Therefore, this Criminal Original Petition is closed as far as the petitioners 1 and 3 are concerned. It is for them to apply for regular bail and work out their remedies.

4.I am of the view that interest of justice will be served by permitting the second petitioner to surrender before the



jurisdictional Special Court within a period of six weeks from the date of receipt of a copy of this order. The learned Special Judge is directed to dispose of the second petitioner's bail petition on the same day of surrender. This direction will become infructuous, if the second petitioner is arrested in the meanwhile. Therefore, the first respondent is restrained from arresting the second petitioner till the expiry of the period set out above.

5.Considering the current times, this Court dispenses with the issuance of the notice to the second respondent. This Criminal Original Petition is allowed on these terms as regards the second petitioner.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

- 1.The Sessions Judge cum PCR court,
Sivagangai.
- 2.The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 4.The Jurisdictional Special Court,Sivagangai
- 5.Through The Principal District Judge,
Sivagangai.

Crl.O.P (MD)No.5407 of 2020
19.05.2020

AP(26/05/2020) 2P 6C