



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.05.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.5580 of 2020

WEB COPY

1.Sham @ Samraj

2.Ajay

...Petitioners/Accused Nos.1 & 4

Vs

1.The Deputy Superintendent of Police,
Theni,
Theni District.

...1st Respondent/Investigation
Officer

2.The State Rep. by its
The Inspector of Police,
Allinagaram Police Station,
Theni District.
(Cr.No.936 of 2020)

...2nd Respondent/Complainant

3.Kaviyarasan

...3rd Respondent/Defacto
Complainant

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the PCR Court, Theni to consider the bail application of the petitioners on the same day of surrender and dispose the same on the same date on merits and in accordance with law in Crime No.936 of 2020.

For Petitioners
For R1 & R2

: Mr.C.Susi Kumar
: Mr.A.Robinson
Government Advocate (Crl.side)

ORDER

The petitioners are shown as accused Nos.1 & 4 in Crime No.936 of 2020 registered on the file of the Inspector of Police, Allinagaram Police Station, Theni District, for the offences under Sections 147, 341, 294(b), 323, 324 and 506(ii) of IPC r/w Sections 3(1)(s), 3(1)(r) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

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



3.Considering the present times, notice to the third respondent is dispensed with.

4.I am of the view that interest of justice will be served by permitting the petitioners to surrender before the jurisdictional Special Court within a period of eight weeks from the date of receipt of a copy of this order. The learned Special Judge will dispose of the petitioners' bail petition on the same day of surrender. Since this direction will become infructuous, if the petitioners are arrested in the meanwhile, the respondents 1 and 2 are restrained from arresting the petitioners till the expiry of the period of eight weeks.

5. This Criminal Original Petition is allowed on these terms.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rmi

NOTE: Due to lockdown situation, soft copy of this order hosted on the website of the Court will be treated as true copy.

To

- 1.The Judge, PCR Court, Theni.
- 2.The Deputy Superintendent of Police,
Theni,
Theni District.
- 3.The Inspector of Police,
Allinagaram Police Station,
Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P (MD)No.5580 of 2020
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AP (05/06/2020) 2P 5C