



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.06.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.5711 of 2020

1.R.Muthukumar

2.D.Sureshkumar

3.Thiruselvam @ Selvam

...Petitioners/Accused Nos 2,3 and 5

Vs

1.The Deputy Superintendent of Police,
Mudukalathoor,
Ramanathapuram District.

2.The Inspector of Police,
Mudukalathoor Police Station,
Ramanathapuram District. ...Respondents 1&2/Complainant

3.P.Sathiyaraj ...3rd Respondent/Defacto Complainant

PRAYER: Petition filed under Section 482 of Code of Criminal Procedure, to direct the Special Court for trial of cases under SC/ST Act, 1989, Ramanathapuram District, to accept the petitioner's surrender and consider their bail application on the same day in connection with Crime NO.318 of 2020, on the file of the second respondent in accordance with law.

For Petitioners : Mr.B.Thanga Aravindh

For R1 & R2 : Mr.A.Robinson

Government Advocate (Crl.side)

ORDER

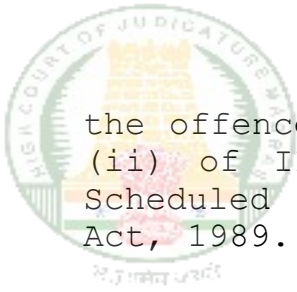
The petitioners apply for direction to the Special Court to consider their bail petition on the same day of surrender.

2.The learned Government Advocate (Crl.side) points out that there is a tension in the locality and the police picketing has also been posted.

3.The petitioner's counsel states that if the Court grants interim protection, the petitioners would stay away from the native place and would rather stay at Madurai.

4.The undertaking given by the petitioner through his counsel is recorded.

5.The petitioners are shown as accused Nos.2,3 and 5 in Crime No.318 of 2020 registered on the file of the Inspector of Police, Mudukulathur Police Station, Ramanathapuram District, for



the offences under Sections 147, 148, 294(b), 323, 324, 307 and 506 (ii) of IPC r/w Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

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

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

8.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.

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

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1.The Special Court, (SC/ST Act) Ramanathapuram District.

2.The Deputy Superintendent of Police,
Mudukalathoor,
Ramanathapuram District.

3.The Inspector of Police,
Mudukulathoor Police Station,
Ramanathapuram District.

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

Crl.O.P (MD) No.5711 of 2020
05.06.2020

KB(12.06.2020) 2P 5C

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