



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.06.2020

CORAM

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.O.P(MD)No.6460 of 2020

WEB COPY

Suseela

...Petitioner /
Accused No.1

Vs

1.The Deputy Superintendent of Police,
Vallioor Sub Division,
Tirunelveli District.

...1st Respondent /
Investigation Officer

2. State represented by its,
The Inspector of Police,
Panangudi Police Station,
Tirunelveli District.
(in Crime No.237 of 2020)

...2nd Respondent /
Complainant

3. Vaitheki

...3rd Respondent/
Defacto complainant

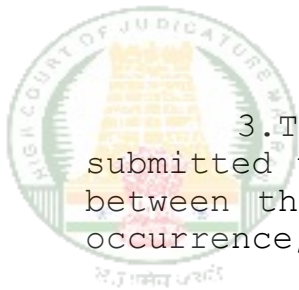
Prayer: Petition filed under Section 482 of the Criminal Procedure Code, to direct the learned II Additional Sessions Court cum PCR Court, Tirunelveli to consider the bail application of the petitioner on the same day of surrender and dispose the same on the same date on merits and in accordance with law in Crime No.237 of 2020 on the file of the 2nd respondent Police.

For Petitioner : Mr.C.Susi Kumar
For Respondent : Mr.K.K.Ramakrishnan,
Nos.1&2 Additional Public Prosecutor

ORDER

The petitioner is shown as accused No.1, in crime No.237 of 2020 registered on the file of the Inspector of Police, Panangudi Police Station, Tirunelveli District, for the offences under Sections 294(b),506(i) of IPC and r/w Sections 3(1)(r), 3(2)(va) of the SC/ST (POA) Amendment Act, 2015.

2. The learned Counsel for the petitioner submits that the petitioner did not commit any offence as alleged by de-facto complainant and only with an intention to harass the petitioner, the de-facto complainant has lodged a false complaint.



3.The learned Additional Public Prosecutor, on instructions, submitted that due to the previous enmity, there is a wordy quarrel between the petitioner and de-facto complainant and in the alleged occurrence, no one sustained injury.

4.Heard Mr.C.Susi Kumar, learned Counsel appearing for the petitioner and Mr.K.K.Ramakrishnan, learned Additional Public Prosecutor appearing for the State. Considering the nature of relief sought for in this petition and the present situation, notice to the third respondent is dispensed with.

5.Considering the rival submissions made on either side, the interest of justice will be served, permitting the petitioner to surrender as prayed for.

6.Accordingly, the petitioner is directed to surrender before the learned Judge, II Additional Sessions Court cum PCR Court, Tirunelveli, within a period of six weeks from the date of receipt of a copy of this order. In the event the petitioner surrenders, the learned Judge, II Additional Sessions Court cum PCR Court, Tirunelveli, shall consider her bail application on the same day on merits in accordance with law. The petitioner shall file her surrender application three days prior to her date of surrender, so that the compliance as required under Section 15(A) of the SC/ST Act is complied with. In the meantime, if the petitioner is arrested the direction will become infructuous. Therefore, the respondent Police is restrained from arresting the petitioner for a period of six weeks.

7.This Criminal Original Petition is allowed on the above terms.

Sd/-

Assistant Registrar (records)

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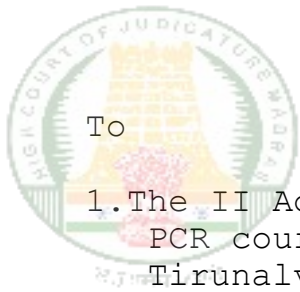
/ /2020

Sub Assistant Registrar(CS)

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NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned

<https://hcservices.ecourts.gov.in/hcservices/>



To

1.The II Additional Sessions Judge,
PCR court,
Tirunelveli

2.The Deputy Superintendent of Police,
Vallioor Sub Division,
Tirunelveli District.

3. The Inspector of Police,
Panangudi Police Station,
Tirunelveli District.

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

Crl.O.P (MD)No.6460 of 2020
22.06.2020

KB(25.06.2020) 3P 4C