



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.06.2020

CORAM

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.O.P(MD)No.6476 of 2020

1. Chezhiyan

2. Anbuchelvan @ Anbucheziyan

... Petitioners /
Accused Nos.2 & 3

Vs

1.The Deputy Superintendent of Police,
Pattukottai,
Thanjavur District.

2. State represented through
Inspector of Police,
All Women Police Station,
Pattukottai, Thanjavur District.
(in Crime No.6 of 2020)

... 1st and 2nd Respondents /
Complainant

3. Rohini

... 3rd Respondent/
Defacto complainant

Prayer: Petition filed under Section 482 of the Criminal Procedure Code, to direct the learned I Additional District and Sessions Judge (PCR Court), Thanjavur, to accept the Surrender of the Petitioner and consider the petitioner's bail application on the same day on merit relating to crime No.6 of 2020 dated 21.05.2020.

For Petitioner : Mr.S.Deenadhayalan

For Respondent : Mr.K.K.Ramakrishnan,
Nos.1&2 Additional Public Prosecutor

ORDER

The petitioners are shown as accused Nos.2 and 3, in crime No.6 of 2020 registered on the file of the Inspector of Police, All Women Police Station, Pattukottai, Thanjavur District, for the offences under Sections 417, 212 of IPC @ 417, 212 IPC r/w 3(1)(w)



(i), 3(2)(va) of the SC/ST (POA) Amendment Act, 2015.

2. The learned Counsel for the petitioners submits that the petitioners are the friends of accused No.1 and they are in no way connected with the relationship between the de-facto complainant and accused No.1 and a false complaint has been given against the petitioners.

3.The learned Additional Public Prosecutor, on instructions, submitted that the main allegation is only against accused No.1 and the petitioners are only friends of accused No.1.

4.Heard Mr.S.Deenadhayalan, learned Counsel appearing for the petitioners 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, the 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 petitioners to surrender as prayed for.

6.Accordingly, the petitioners are directed to surrender before the learned I Additional District and Sessions Judge (PCR Court), Thanjavur, within a period of six weeks from the date of receipt of a copy of this order. In the event of the petitioners surrender, the learned I Additional District and Sessions Judge (PCR Court), Thanjavur, shall consider their bail applications on the same day on merits in accordance with law. The petitioners shall file their surrender applications three days prior to their 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 petitioners are arrested the direction will become infructuous. Therefore, the respondent Police is restrained from arresting the petitioners for a period of six weeks.

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

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



To

1.The I Additional District and Sessions Judge,
(PCR Court), Thanjavur.

2.The Deputy Superintendent of Police,
Pattukottai,
Thanjavur District.

3. The Inspector of Police,
All Women Police Station,
Pattukottai, Thanjavur District.

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

Crl.O.P (MD) No. 6476 of 2020

22.06.2020

SPU (25.06.2020) 3P-5C