



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.06.2020

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CrI.O.P.(MD)No.6781 of 2020

WEB COPY

Sangarapandi

:Petitioner/Accused No.1

Vs

1.The Deputy Superintendent of Police
Tirumangalam Sub Division
Madurai District

2.The Inspector of Police
Tirumangalam Taluk Police Station
Madurai District
(Crime No.649 of 2020)

: Respondents/Complainant

3.Alagumuniyandi

:Respondent/Defacto Complainant

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the learned III Additional District and Sessions Court (PCR Court), Madurai to consider and dispose of the bail application to be filed by the petitioner on the same day of its filing on his surrender through virtual video mode in connection with the case in Crime No.649 of 2020 on the file of the Inspector of Police, Tirumangalam Taluk Police Station, Madurai District.

For Petitioner : Mr.A.Sivasubramanian

For R1 & R2 : Mr.K.K.Ramakrishnan
Additional Public Prosecutor

ORDER

The petitioner is shown as an accused in Crime No.649 of 2020 registered on the file of the Inspector of Police, Tirumangalam Taluk Police Station, Madurai District, for the offences under Sections 294(b), 323, 324, 506(ii) of IPC and Section 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Caste and the Scheduled Tribes (POA) Amendment Act, 2015.

2.The learned counsel for the petitioner submits that on 17.06.2020, the petitioner and one Muthukumar had asked the 3rd respondent/defacto complainant to stop his two wheeler, but he did not stop and returned back to home. Due to that, they said to have abused the defacto complaint by uttering unparliamentary words with an intention to degrade the status of his community and said to have



attacked him. Hence, a complaint has been lodged against the petitioner and others. Therefore, the petitioner has come forward with this present petition.

3. According to the learned Additional Public Prosecutor, the injury sustained by the victim is simple in nature and was also discharged from the Hospital.

4. Heard, Mr.A.Sivasubramanian, learned counsel for the petitioner and Mr.K.K.Ramakrishnan, learned Additional Public Prosecutor appearing for the State. Considering the 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 petitioner to surrender as prayed for.

6. Accordingly, the petitioner is directed to surrender before the III Additional District and Sessions Judge Cum P.C.R Court, Madurai, Madurai District, within a period of six weeks from the date of receipt of a copy of this order. In the event of the petitioner's surrender, the learned III Additional District and Sessions Judge Cum P.C.R Court, Madurai, shall consider his bail application on the same day on merits and in accordance with law. The petitioner shall file surrender application three days prior to his date of surrender, so that the compliance as required under Section 15(A) of the SC/ST Act is complied with. In the mean time, 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 (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

msa/vsm

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 III Additional District and Sessions Judge Cum P.C.R Court,
Madurai, Madurai District

2. The Deputy Superintendent of Police
Tirumangalam Sub Division
Madurai District

3. The Inspector of Police
Tirumangalam Taluk Police Station
Madurai District

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

Crl.O.P (MD) No. 6781 of 2020
29.06.2020

AP(29/06/2020) 3P 5C