



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.06.2020

CORAM

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.O.P (MD)No.6732 of 2020

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1. Muthukumar

2. Karthik

... Petitioners /

Accused Nos.1 & 2

Vs

1.The State represented by
The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Orathanadu Sub Division, Thanjavur District.

2. The Inspector of Police,
Vattathikottai Police Station,
Thanjavur District.
(in Crime No.841 of 2020)

... 1st and 2nd Respondents /
Complainant

3. Gnanasekaran

... 3rd Respondent/
Defacto complainant

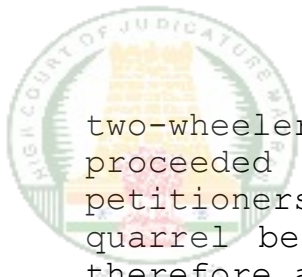
Prayer: Petition filed under Section 482 of the Criminal Procedure Code, to direct the learned I Additional District and Sessions Judge, Thanjavur, to accept the surrender of the petitioners in connection with the Crime No.841 of 2020 on the file of the second respondent police and to consider the bail application filed by the petitioners on the same day.

For Petitioners : Mr.B.Anandan
For Respondents : Mr.R.Anandaraj,
Additional Public Prosecutor
for R1 and R2

ORDER

The petitioners are arrayed as accused Nos.1 and 2, in crime No.841 of 2020 registered on the file of the Inspector of Police, Vattathikottai Police Station, Thanjavur District, for the offences under Sections 341,294(b),324,506(ii)of IPC r/w 3(1)(r),3(1)(s),3(2)(va) of the SC/ST (POA) Amendment Act, 2015.

2. The learned Counsel for the petitioners submits that on the alleged date of occurrence, the petitioners were travelling in a



two-wheeler and a tractor owned by the third respondent was proceeded to their two-wheeler and in order to seek for way, the petitioners were making a horn and due to that there is a wordy quarrel between the petitioners and the driver of the tractor and therefore a false complaint has been lodged against the petitioners.

WEB COPY

3.The learned Additional Public Prosecutor, on instructions, submitted that the victim sustained only simple injury and the injured has already been discharged from the hospital.

4.Heard Mr.B.Anandan, learned Counsel appearing for the petitioners and Mr.R.Anandaraj, 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 petitioners to surrender as prayed for.

6.Accordingly, the petitioners are directed to surrender before the learned I Additional District and Sessions Judge, 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, 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/-

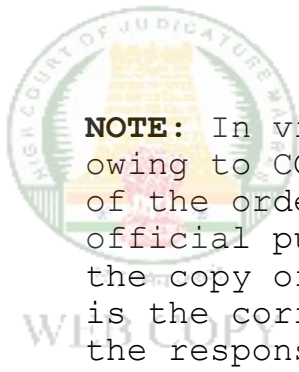
Assistant Registrar (Records)

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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.

To

- 1.The I Additional District and Sessions Judge,
Thanjavur.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Orathanadu Sub Division, Thanjavur District.
3. The Inspector of Police,
Vattathikottai Police Station,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P (MD)No.6732 of 2020
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CS (01.07.2020) 3P 5C