



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.O.P (MD) No.6875 of 2020

- 1.Arun
- 2.Madhavan
- 3.Sachin
- 4.Yogesh
- 5.Suresh
- 6.Raja
- 7.Thakkali
- 8.Mani

: Petitioners/Accused Nos.2 to 8 and 11

Vs

- 1.The Deputy Superintendent of Police
Srivilliputhoor Police Station (Circle)
Virudhunagar District
- 2.The Inspector of Police
Vanniyampatti Vilakku Police Station
Virudhunagar District
(Crime No.202 of 2020) : Respondents/Complainant
- 3.Jeyakumar :3rd Respondent/Defact Complainant
- 4.Uthayakumar
- 5.Uma Maheshwari : Respondents 4 & 5/Injured.

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, permitting the petitioners to surrender before the learned Principal Special Court for PCR Cases, Virudhunagar District at Srivilliputhur in connection with Crime No.202 of 2020 on the file of the respondent police and file an application for grant of bail on the same day and in the event of filing the same, the said application may be directed to be considered on the same day on merits and in accordance with law.



For Petitioners : Mr.M.Jegadeesh Pandian
For R1 & R2 : Mr.R.Anandharaj
Additional Public Prosecutor

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ORDER

The petitioners are shown as accused in Crime No.202 of 2020 registered on the file of the Inspector of Police, Vanniyampatti Vilakku Police Station, Virudhunagar District, for the offences under Sections 147, 148, 324, 323, 294(b), 354, 307, 506(ii) I.P.C, Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, read with Section 3(1)(w)(i), 3(1)(s) and 3(2)(va) of the Scheduled Caste and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

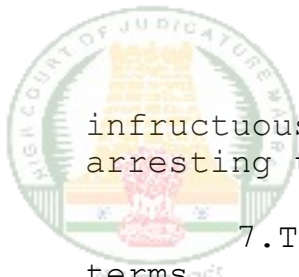
2.The learned counsel for the petitioners submits that due to the wordy quarrel between the petitioners and the defacto complainant, the petitioners along with others assaulted the defacto complainant with deadly weapons. Hence, a case has been registered against the petitioners. Aggrieved over the same, the petitioners are before this Court.

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

4.Heard, Mr.M.Jegadeesh Pandian learned counsel for the petitioners and Mr.R.Anandharaj, learned Additional Public Prosecutor appearing for the State. Considering the relief sought for in this petition and the present situation, the notice to the respondents 3 to 5 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 Principal Special Judge for PCR Cases, Virudhunagar District at Srivilliputhur, 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 Principal Special Judge for PCR Cases, Virudhunagar District, shall consider their bail applications on the same day on merits and in accordance with law. The petitioners shall file 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 mean time, 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.

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Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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 Principal Special Judge for PCR Cases,
Virudhunagar District at Srivilliputhur
- 2.The Deputy Superintendent of Police
Srivilliputhoor Police Station (Circle)
Virudhunagar District
- 3.The Inspector of Police
Vanniyampatti Vilakku Police Station
Virudhunagar District
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P (MD)No.6875 of 2020
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msa/vsm

SDS (01.07.2020) 3P-5C