



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE **R.PONGIAPPAN**

CrI.O.P. [MD]No.9537 of 2020

1.Vijay Sankar
2.Pradeepsankar
3.Indhumathi
4.Maheswaran

: Petitioners/Accused Nos.1 to 4

Vs.

The State represented by
The Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.
[Crime No.895 of 2020]

: Respondent

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned District Sessions Judge cum P.C.R. Court, Srivilliputhur, to consider the bail application of the petitioners on the same day of their surrender in Crime No.895 of 2020, on the file of the respondent Police in which the petitioners herein have been arrayed as the Accused Nos.1 to 4 under Sections 465, 468, 420 of I.P.C. and Section 3 (1) (iv) of SC/ST (Prevention of Atrocities) Act, 1989.

For Petitioners	: Mr.Lakshmi Gopinathan for M/s.Polax Legal Solutions
For Respondent	: Mr.M.Ganesan Government Advocate (Criminal side)

O R D E R

This Criminal Original Petition has been filed seeking a direction to direct the learned District Sessions Judge cum P.C.R. Court, Srivilliputhur, to consider the bail application of the petitioners on the same day of their surrender in Crime No.895 of 2020, on the file of the respondent Police 1 and 2, in which the petitioners herein, have been arrayed as the Accused Nos.1 to 4 for the offences punishable under Sections 465, 468, 420 of I.P.C. and Section 3 (1) (iv) of SC/ST (Prevention of Atrocities) Act, 1989.



2. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal side) appearing for the respondent.

3. In respect of the offences which come under the provisions of Sections 465 and 420 of I.P.C., the respondent herein lodged a complaint after three years from the date of occurrence. Therefore, it cannot be said that the present First Information Report has been registered immediately after the alleged occurrence. Therefore, considering the prayer sought for by the petitioners in respect to the said offences is no way cause prejudice to investigation.

4. In respect to the other offences which registered under the provision of SC/ST (Prevention of Atrocities) Act, 1989, this Court is of the view that the usual directions that were issued by this Court cannot be issued routinely in all cases. Therefore, the petitioners are directed to surrender before the trial Court within a period of four weeks from the date of receipt of a copy of this order and on such surrender, the learned District Sessions Judge cum P.C.R. Court, Srivilliputhur, shall deal and dispose the matter on the same day on merits and in accordance with law.

5. In due compliance of Section 15-A of the SC/ST Act, the petitioners shall serve advance notice of surrender and bail two clear days before the intended date of surrender enclosing additional copies on the Special Public Prosecutor of the concerned Court and the Special Public Prosecutor shall intimate it to the defacto complainant through the respondent police.

6. This Criminal Original Petition is disposed of with the above directions.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

tsg

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 District Sessions Judge cum P.C.R. Court,
Srivilliputhur

2.The Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.

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

+1 CC to M/s.POLAX LEGAL SOLUTIONS, Advocate SR-16580.

Order made in
Crl.O.P. [MD]No.9537 of 2020
Dated:
10.09.2020

CS(22.09.2020) 3P 5C