



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CrI.O.P.(MD)No.9865 of 2020

1.Kuvai @ Kupendran

2.Vijaya

... Petitioners /Accused

Vs

1.The Deputy Superintendent of Police,
Theni Division,
Theni District.

2.The Inspector of Police,
Palanichettypatti Police Station Junction,
Theni District.
(Crime No.1595 of 2020)

... 1st and 2nd Respondents
/Complainants

3.Eswaran

... 3rd Respondent/Defacto
Complainant

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the Special Court for Trial of Cases, under SC/ST(POA) Act, Theni to consider the Bail Petition of these petitioners in FIR No.1595/2020 registered on the file of respondent police on 06.07.2020 under Section 294(b), 324, 506(ii) of IPC r/w Section 3 (1)(r), 3(1)(s), 3(2)(Va) of SC/ST POA Act, 2015 on the same day of their surrender.

For Petitioners	:	Mr.P.M.Vishnuvarthanan
For R1 & R2	:	Mr.V.Neelakandan
		Additional Public Prosecutor
For R3	:	Notice Dispensewith

O R D E R

The deletion of the second petitioner Vijaya is recalled and original cause title is maintained as such.

2.The petitioners are shown as accused in Crime No. 1595 of 2020 registered on the file of the Palanichettypatti Police Station Junction, Theni District, for the offences under Sections 294(b), 324, 506(ii) of IPC r/w Section 3(1)(r), 3(1)(s), (3(2)(Va) of SC/ST POA Act, 2015.

3.The learned counsel appearing for the petitioners reiterated the contentions set out in the original petition.



4.Considering the present times, notice to the third respondent is dispensed with.

5.I am of the view that interest of justice will be served by permitting the petitioners to surrender before the jurisdictional Special Court within a period of four weeks from the date of receipt of a copy of this order. The learned Special Judge will dispose of the petitioners' bail petition on the same day of surrender. Since this direction will become infructuous, if the petitioners are arrested in the meanwhile, the respondents 1 and 2 are restrained from arresting the petitioners till the expiry of the period of four weeks.

6.This Criminal Original Petition is allowed on these terms.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vrn

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 Special District and Sessions Court (PCR Court), Theni.

2.The Deputy Superintendent of Police,
Theni Division,
Theni District.

3.The Inspector of Police,
Palanichettypatti Police Station Junction,
Theni District.

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

+1 CC to M/s.P.M.VISHNUVARTHANAN,Advocate(SR-20631[F] dated
22/10/2020)

Cr1.O.P(MD)No.9865 of 2020

16.10.2020

AP(26/11/2020) 2P 6C

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