



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **18.09.2020**

CORAM:

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

Crl.O.P.(MD)No.9973 of 2020

1.Aranganayagi

2.Prabakaran

3.Radhika

4.Saravanan

... Petitioners/Accused No.2 to 5

Vs.

1.The Deputy Superintendant of Police,
Office of the Deputy Superintendant of Police,
Thiruverambur Sub-Division,
Trichy District.

2.The Inspector of Police,
Thiruverambur All Women Police Station,
Trichy District. ... 1st & 2nd Respondent/Complainant
(In Crime No.22 of 2020)

3.Gangadevi ...3rd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to accept the surrender of the petitioner before the Special Court for S.C/S.T. (Prevention of Atrocities) Act i.e. the Additional District and Sessions Judge at Trichy, in connection with the Crime No.22 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.K.M.Karunakaran
For R1 & R2	:	Mr.C.M.Ganesan
		Government Advocate (Crl. Side)

O R D E R

The Criminal Original Petition has been filed seeking the relief to direct the learned Additional District and Sessions Judge, Special Court for S.C/S.T. (Prevention of Atrocities) Act, Trichy, to accept the surrender of the petitioner in connection with the Crime No.22 of 2020 on the file of the second respondent police and to consider the bail application filed by the petitioners on the same day.

2.The learned counsel for the petitioners would submit that in the alleged First Information Report totally five accused are arrayed as accused. Further, the above referred case has been registered for the offence punishable under Sections 447, 376, 506 (i) and 496 of I.P.C r/w 3(1)(r), 3(1)(s) of SC/ST (POA) Act, 1989. In this regard, he would further submit that the averments found in the First Information Report is entirely against the first accused,



who has been already secured by the second respondent police. Because of the reason that there is no overt act attributed against these petitioners, it is necessary to direct the Additional District and Sessions Judge, Trichy, to consider the bail application on the date of surrender.

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3.The learned Government Advocate (crl.side) appearing for the respondents 1 and 2, on instructions, would submit that since the investigation in the above referred FIR is in threshold stage, issuing direction to consider the bail application on the same date, would cause prejudice to the investigation. Therefore, he prayed to dismiss the application.

4.Now on considering the rival submissions made by the learned counsel appearing on either side, after knowing the previous antecedents of the first accused, the petitioners herein insulted the de facto complainant and further they made arrangements for second marriage. Therefore, considering the seriousness of the offence committed by the petitioners, this Court is not inclined to entertain this application.

5.In view of the above observations, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Cp

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 Deputy Superintendant of Police,
Office of the Deputy Superintendant of Police,
Thiruverambur Sub-Division, Trichy District.
- 2.The Inspector of Police,
Thiruverambur All Women Police Station, Trichy District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

CrI.O.P.[MD]No.9973 of 2020

18.09.2020

SR(CO)

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