



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.12.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P (MD)No.10287 of 2020

Velraja

Petitioner/1st Accused

Vs

1.State represented by

The Assistant Commissioner of Police,
Tirunelveli Town,
Tirunelveli.

2.The Inspector of Police,
Pettai Police Station,
Tirunelveli City.

(Crime No.796 of 2020) ...Respondents Nos.1 & 2/ Complainants

3.Esaiselvam

...Respondent No.3/Defacto Complainant

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the II Additional District Sessions Judge (PCR Act Cases), Tirunelveli to consider the bail application of the petitioner on the same day of filing, in Crime No.796 of 2020 on the file of the 2nd respondent police station.

For Petitioner : Mr.Niranjana S.Kumar

For R1 & R2 : Mr.V.Neelakandan

Additional Public Prosecutor (Crl.side)

O R D E R

The petitioner is shown as 1st accused in Crime No.796 of 2020, registered on the file of Pettai Police Station, Tirunelveli City, for the offences under Sections 147, 148, 294(b), 307, 324, 506 (ii) IPC and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

2.The learned counsel appearing for the petitioner reiterated the contentions set out in the original petition.

3.The learned Additional Public Prosecutor appearing for the 1st and 2nd respondents would submit that totally two accused in this case. The petitioner is the 1st accused. The victim discharged from the Hospital on 21.07.2020. He would further submit that he has no objection for allowing this petition.

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

<https://hcservices.ecourts.gov.in/hcservices/>



5. I am of the view that interest of justice will be served by permitting the petitioner to surrender before the learned II Additional District Sessions Judge (PCR Act Cases), Tirunelveli, within a period of eight weeks from the date of receipt of a copy of this order. The learned District Judge will dispose of the petitioner's bail petition on the same day of surrender on its own merits. There will be a direction to the respondents 1 and 2 not to arrest the petitioner till the expiry of the period of eight weeks.

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

Sd/-

Assistant Registrar(CS-II)

// 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 Assistant Commissioner of Police,
Tirunelveli Town, Tirunelveli.

2. The Inspector of Police,
Pettai Police Station,
Tirunelveli City.

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

COPY TO

The II Additional District Sessions Judge (PCR Act Cases),
Tirunelveli

Crl.O.P(MD)No.10287 of 2020
04.12.2020

se (CO)

TR(07.12.2020) 2P 5C