



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.11.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P(MD)No.10524 of 2020

WEB COPY

Palanivel

... Petitioner/Sole Accused

vs.

1)State rep by

The Inspector of Police,
Manamelkudi Police Station,
(in Cr.No.130 of 2019)
Pudukkottai District.

...1st Respondent/Complainant

2)Siranjeevi

...2nd Respondent/Defacto
Complainant

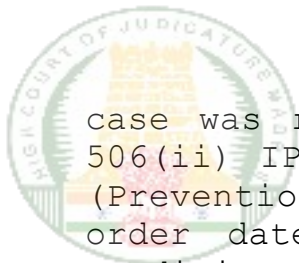
PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the Special Sessions Judge for SC/ST offences, Pudukkottai, Pudukkottai District, under the SC/ST (POA) Amendment Act, 2015, to accept the surrender of the petitioner and consider the bail application on merits on the same day in connection with Cr.No.130 of 2019 on the file of the 1st respondent.

For Petitioner	: Mr.Na.Palaniyandi
For R1	: Mr.V.Neelakandan Additional Public Prosecutor

ORDER

The present petition has been filed to direct the learned Special Sessions Judge for SC/ST offences, Pudukkottai, Pudukkottai District, under the SC/ST (POA) Amendment Act, 2015, to accept the surrender of the petitioner and consider the bail application on merits on the same day in connection with Cr.No.130 of 2019 on the file of the 1st respondent.

2.The learned counsel appearing for the petitioner would submit that the petitioner's wife is a member of the women self help group and received group loan from Muthoot Micro Credit Corp, Manamelkudi and on 02.11.2019, the 2nd respondent who is the collection agent entered into the petitioner's house and abused the petitioner's wife with unparliamentary words and there was a wordy quarrel between the petitioner and the 2nd respondent. The petitioner filed anticipatory bail petition in Crl.OP.(MD)No.16433 of 2019 and when it was taken up for hearing, it was stated by the respondent in Police that on the complaint of the 2nd respondent, a



case was registered against the petitioner under Section 294(b), 506(ii) IPC read with Section 3(1)(r), 3(1)(s), 3(2)(Va) of SC/ST (Prevention of Atrocities) Amendment Act, 2015 and this Court by order dated 26.11.2019, granted anticipatory bail with certain conditions. Thereafter, the petitioner filed extension petition stating that he could not produce the sureties in time. The extension petition was ordered by order dated 13.01.2020 by granting two more weeks to comply with the conditions, but due to Covid-19 pandemic, again the petitioner was not able to produce the sureties. But, since the offence is under the SC/ST (Prevention of Atrocities) Amendment Act, 2015, the petitioner has now filed the present petition.

3.The learned Additional Public Prosecutor would state that despite this Court extended the time for complying with the conditions in the earlier anticipatory bail order, the petitioner failed to surrender and failed to comply with the conditions.

4.Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor. In view of the order going to be passed, notice to the 2nd respondent is not necessary.

5.Considering the abovesaid facts and circumstances of the case, I am of the view that ends of justice would be met by permitting the petitioner to surrender before the learned Special Sessions Judge for SC/ST offences, Pudukkottai, Pudukkottai District, under the SC/ST (POA) Amendment Act, 2015, within a period of eight weeks from the date of receipt of a copy of this order. The learned Judge shall dispose of the petitioner's bail petition on the same day of surrender. There will be a direction to the 1st respondent/Police not to arrest the petitioner till the expiry of the period of eight weeks.

This Criminal Original Petition is allowed on these terms.

Sd/-

Assistant Registrar (CS-II)

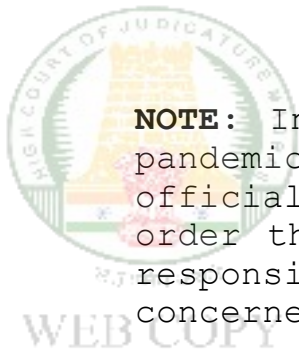
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Sub Assistant Registrar (CS)

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



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 Sessions Judge for SC/ST offences,
Pudukkottai, Pudukkottai District.
- 2)The Inspector of Police,
Manamelkudi Police Station,
Pudukkottai District.
- 3)The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.NA. PALANIYANDI, Advocate (SR-22582[F] dated
24/11/2020)

ORDER MADE IN
Crl.O.P(MD)No.10524 of 2020
DATED : 23.11.2020

SV2 (CO)
KM (01.12.2020) 3P 5C