



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CrI.O.P (MD)No.11044 of 2020

Mohamed Ismail

... Petitioner/Accused No.5

Vs

1. The Deputy Superintendent of Police,
Nilakkottai Taluk,
Dindigul District.

2. State represented by
The Inspector of Police,
Batlagundu Police Station,
Dindigul District.
(Crime No.1321/2020)

... Respondents 1 & 2/Complainants

3.Sundara Pandian

... 3rd Respondent/Defacto complainant

4.Rajendiran

... 4th Respondent/Victim

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the learned Sessions Judge, Special Court, for exclusively Trial of Cases under SC/ST(POA) Act, Dindigul District to accept the surrender of the petitioner in Crime No.1321 of 2020 on the file of the second respondent and to consider the bail petition of the petitioner which would be filed on the same day of the surrender.

For Petitioner : Mr.A.Jainul Abudheen

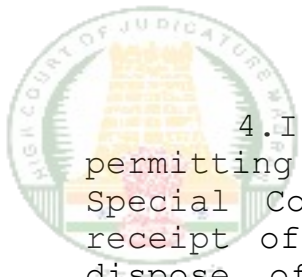
For R1 & R2 : Mr.V.Neelakandan
Additional Public Prosecutor

ORDER

The petitioner is shown as accused No.5 in Crime No.1321 of 2020 registered on the file of the Inspector of Police, Batlagundu Police Station, Dindigul District, for the offences under Sections 294(b), 323, 324, 506(2) of IPC r/w Sections 3(1)(s) and 3(1)(r) 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.Considering the present times, notice to the respondents 3 & 4 is dispensed with.



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

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Rmi

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 Sessions Judge, Special Court,
for exclusively Trial of Cases
under SC/ST(POA) Act,
Dindigul District.
- 2.The Deputy Superintendent of Police,
Nilakkottai Taluk,
Dindigul District.
- 3.The Inspector of Police,
Batlagundu Police Station,
Dindigul District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P (MD) No.11044 of 2020
08.10.2020