



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.11379 of 2020

Xavier @ Suresh

... Petitioner/Sole Accused

Vs

1.The Deputy Superintendant of Police,
Thirumangalam,
Madurai District.

2.The Inspector of Police,
Austinpatti Police Station,
Madurai District.
(Crime No.1583 of 2020)

...1st & 2nd Respondents/Complainants

3.Kalamani

... 3rd Respondent/Defacto Complainant

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the III Additional District and Sessions Judge (PCR Cases), Madurai to consider the bail application of the petitioner on the same day of his surrender in Crime No.1583 of 2020 on the file of the 2nd respondent police.

For Petitioner : Mr.S.Pakalavan

For R1 & R2 : Mr.V.Neelakandan,

Additional Public Prosecutor.

O R D E R

The petitioner is shown as sole accused in Crime No.1583 of 2020 registered on the file of the Inspector of Police, Austinpatti Police Station, Madurai District, for the offences under Sections 294(b) and 506(ii) of IPC r/w Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.

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 third respondent 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 four 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 four weeks.

WEB COPY

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

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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 III Additional District and Sessions Court (PCR Cases),
Madurai.
- 2.The Deputy Superintendant of Police,
Thirumangalam,
Madurai District.
- 3.The Inspector of Police,
Austinpatti Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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