



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **10.11.2020**

CORAM:

THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

Crl.O.P. (MD)No.12736 of 2020

Ramar

... Petitioner/Accused No.1

Vs.

1.The Deputy Superintendent of Police,
Kamuthi,
Ramanathapuram District.

2.The Sub Inspector of Police
Kamuthi Police Station,
Ramanathapuram District.

:Respondents 1 & 2/Complainants

3.B.Bharathi

...Respondent No.3/Defacto Complainant/
Victim

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Special Court for Trial of Cases under S.C / S.T (Prevention of Atrocities) Act, 1989, Ramanathapuram District, to accept the petitioner's surrender and consider his bail application on the same day in connection with Crime No.432 of 2020 on the file of the second respondent in accordance with law.

For Petitioner : Mr.G.Vishnuram

For Respondents 1 & 2 : Mr.V.Neelakandan

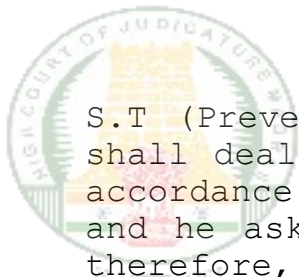
Additional Public Prosecutor

O R D E R

The petitioner is shown as Accused No.1 in Crime No.432 of 2020 registered on the file of the Sub Inspector of Police, Kamuthi Police Station, Ramanathapuram District, for the offences under Sections 147, 148, 294(b), 323, 324, 307, 506(ii) of 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. Considering the present times, notice to the third respondent is dispensed with.

3. The learned counsel appearing for the petitioner would state that in an earlier occasion, he has filed a Crl.OP(MD) No.8649 of 2020 before this Court and the same was disposed on 20.08.2020 with the condition that the petitioner is directed to surrender before the Trial Court within a period of four weeks from the date of receipt of a copy of this order and on such surrender, the learned Special Judge, Special Court for Trial of Cases under S.C /



S.T (Prevention of Atrocities) Act, 1989, Ramanathapuram District, shall deal and dispose the matter on the same day on merits and in accordance with law. Since the petitioner is working in Indian Army and he asked to return back immediately by the Army Officials and therefore, he immediately join the duty and hence, the petitioner is not able to surrender before the concerned Court and due to that the petitioner has moved the second direction petition before this Court and his act is neither willful nor wanton one.

4. In view of the submission made by the learned counsel for the petitioner, this Court permits the petitioner to surrender before the learned Special Judge, Special Court for Trial of Cases under S.C /S.T (Prevention of Atrocities) Act, 1989, Ramanathapuram District, within a period of three weeks from the date of receipt of a copy of this order. The learned Special Judge, Special Court for Trial of Cases under S.C /S.T (Prevention of Atrocities) Act, 1989, Ramanathapuram District, will dispose of the petitioner's bail petition on the same day of surrender. There will be a direction to the respondents 1 and 2 not to arrest the petitioner till the expiry of the period of three weeks.

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

Sd/-

Assistant Registrar (co)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rm

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 Superintendent of Police,
Kamuthi,
Ramanathapuram District.

2.The Sub Inspector of Police
Kamuthi Police Station,
Ramanathapuram District.

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



COPY TO

The Special Court for Trial of Cases under S.C /S.T
(Prevention of Atrocities) Act, 1989,
Ramanathapuram District.

WEB COPY

+1 CC to Mr.G.VISHNURAM, Advocate (SR-21707[F] dated 10/11/2020)

CrI.O.P.[MD]No.12736 of 2020
10.11.2020

VB (20.11.2020) 3P 6C