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CrI.O.P.(MD)No.12827 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.11.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

CrI.O.P (MD) No.12827 of 2020

Balamurugan @ Bala

... Petitioner/Sole Accused

Vs

1.The Deputy Superintendent of Police
Periyakulam Range
Theni District

2.The Inspector of Police
Devathanapatti Police Station
Theni District

(Crime No.1417 of 2020) ... Respondents/Complainants

3.PandiarajanVictim/Respondent/Defacto Complainant

PRAYER: Petition filed under Section 482 of Code of Criminal Procedure, to direct the Special Court for trial of cases under SC/ST (POA) Act, Theni to accept the surrender of the petitioner/accused and consider the petitioner's bail application and grant bail on the date of surrender itself in Crime No.1417 of 2020 on the file of the second respondent police.

For Petitioner : Mr.K.Sivabalan

For R1 & R2 : Mr.V.Neelakandan

Government Advocate (CrI.side)

ORDER

The petitioner is shown as sole accused in Crime No.1417 of 2020 registered on the file of the Inspector of Police, Devathanapatti Police Station, Theni District, for the offence under Sections 294(b), 506(i) I.P.C r/w Sections 3(1)(r), 3(1)(s), 3(2)(va) of Scheduled Caste and the 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 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 learned Special Judge, Special Court for trial of cases SC/ST (Prevention of Atrocities) Act, Theni District 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. 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.

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

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

msa

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 Judge
Special Court for SC/ST (Prevention of Atrocities) Act Cases,
Theni.
- 2.The Deputy Superintendent of Police
Periyakulam Range
Theni District
- 3.The Inspector of Police
Devathanapatti Police Station
Theni District



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

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PM(CO)
TR(20.11.2020) 3P 5C