



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.12938 of 2020

WEB COPY

- 1.Rajendran
- 2.Vasanthakumar
- 3.Anandakumar
- 4.Paramasivam
- 5.Udhayakumar

...Petitioners/Accused Nos.1 to 5

vs.

- 1.The Deputy Superintendent of Police,
Orathanadu,
Thanjavur District.

- 2.State
Rep by the Inspector of Police,
Vattathikottai Police Station,
Thanjavur District.

(Crime No.1180/2020)

- 3.Subramanian

... Respondents 1&2 /Complainants

... Respondent No.3/Defacto Complainant

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the learned I Additional District and Sessions Judge (PCR Court), Thanjavur, to accept the surrender of the petitioners and consider their bail application on the same day on merits in relating to Crime No.1180 of 2020 dated 17.09.2020, on the file of the respondent police.

For Petitioners : Mr.B.Anandan

For R1 & R2 : Mr.V.Neelakandan

Additional Public Prosecutor (Crl.side)

O R D E R

This Petition has been filed to direct the learned I Additional District and Sessions Judge (PCR Court), Thanjavur, to accept the surrender of the petitioners and consider their bail application on the same day on merits in relating to Crime No.1180 of 2020 dated 17.09.2020, on the file of the respondent police.

2.When the matter is taken up for hearing today, the learned Additional Public Prosecutor would state that the petitioners are shown as accused 1 to 6 in Crime No.1180/2020 registered on the file of the 2nd respondent Police for the offences under Sections 294(b), 506(i) IPC and Sections 3(1)(r), 3(1)(s) & 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 and in the earlier occasion, the petitioners filed CRL.OP (MD)No.10293 of 2020 for the same relief and this Court allowed the



said petition by order dated 25.09.2020 by directing the petitioners to surrender before the court concerned and the petitioners have not complied with the said order and now they have come up with the present petition.

3.The learned counsel for the petitioners would state that in the earlier petition, the petitioners instead of impleading the Deputy Superintendent of Police, Orathanadu, has impleaded the Deputy Superintendent of Police, Pattukkottai, and therefore, they were not able to surrender and has now filed the present petition.

4.In my opinion, if at all the petitioners are aggrieved, they ought to have filed an amendment petition and should have sought for extension of time instead of filing the present petition and they cannot keep on filing petition after petition and it is only an abuse of process of law. Therefore, liberty is given to the petitioner to file amendment application and application for extension of time.

With the above observations, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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,
Orathanadu,
Thanjavur District.
- 2.The Inspector of Police,
Vattathikottai Police Station,
Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER MADE IN
Crl.O.P (MD) No.12938 of 2020
DATED : 23.11.2020

PM(CO)

KB(10.12.2020) 2P 4C

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