



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.11.2020**

CORAM:

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

Crl.O.P.(MD)No.13395 of 2020

1. Kannan
2. Siva
- 3.Arun : Petitioners/Accused Rank not known

Vs.

1. The Deputy Superintendent of Police,
Manamadurai, Sivagangai District.
2. The Inspector of Police
Thirupuvanam Police Station,
Sivagangai District.
(Crime No.582 of 2020) : Respondents 1&2/Complainants
3. Anburaj : 3rd Respondent/Defacto complainant/victim
4. Dhanasekarapandian : 4th Respondent/Injured

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the Special Judge for SC/ST (Prevention of Atrocities) Act/District and Sessions Judge (PCR Unit), Sivagangai, to consider the bail application of the petitioners on the same day of their surrender in Crime No.582 of 2020 on the file of the respondent police.

For Petitioners : Mr.M. Ramu
For Respondents 1 & 2 : Mr.V.Neelakandan
Additional Public Prosecutor

O R D E R

The petitioners are an Accused in Crime No. 582 of 2020 registered on the file of the Inspector of Police, Thiruppuvanam Police Station, Sivagangai District, for the offences under Sections 147, 341, 323 of IPC and r/w Section 3(1)(r), 3(1)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 based on the complaint of the third respondent.



2. The learned counsel appearing for the petitioners reiterated the contentions set out in the original petition.

3. The learned Additional Public Prosecutor appearing for the respondent police has not raised any serious objection to allow the petition and on instructions, submitted that this is a case in counter and another case was registered in Crime No.583 of 2020 on the file of the respondent police against the victims.

4. Considering the present times, notice to the respondent Nos.3 & 4 is dispensed with.

5. I am of the view that interest of justice will be served by permitting the petitioner to surrender before the learned Special Judge for SC/ST (Prevention of Atrocities) Act/District and Sessions Judge (PCR Unit), Sivagangai, within a period of eight weeks from the date of receipt of a copy of this order. The learned Special Judge for SC/ST (Prevention of Atrocities) Act/District and Sessions Judge (PCR Unit), Sivagangai, will dispose of the petitioners' bail petition on the same day of surrender on its own merits. 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.

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

Sd/-

Assistant Registrar (CS-III)

// 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 Special Judge for SC/ST (Prevention of Atrocities)Act/
District and Sessions Judge (PCR Unit),
Sivagangai,

2. The Deputy Superintendent of Police,
Manamadurai,
Sivagangai District.



3. The Inspector of Police
Thirupuvanam Police Station,
Sivangangai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.M.RAMU, Advocate (SR-22844[F] dated 26/11/2020)

CrI.O.P.[MD]No.13395 of 2020
26.11.2020

AC(CO)
CS(08.12.2020) 3P 6C