



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.12.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P (MD)No.13477 of 2020

WEB COPY

1)Sankar @ Iyyappan

2)Jaganathan @ Jegatheesan

... Petitioners/Accused

Nos.1 & 2

vs.

1)The Deputy Superintendent of Police,
Thanjavur,
Thanjavur District.

2)The Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur District.
(Crime No.1191 of 2020)

...Respondents 1&2/Complainant

3)Sathoshraj @ Santhoshraj

...3rd Respondent/Defacto
Complainant/Victim

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the Additional District and Sessions Judge, Thanjavur (PCR Act Cases) to consider the bail application of the petitioners concerned in Crime No.1191 of 2020 on the file of the 2nd respondent Police and pass orders in accordance with law on the same day of their surrender if any petition filed by the petitioners.

For Petitioners : Mr.S.Gopalamanikandan

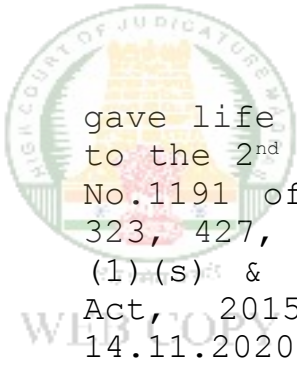
For R1 & R2 : Mr.V.Neelakandan

Additional Public Prosecutor

ORDER

The present petition has been filed to direct the learned Additional District and Sessions Judge, Thanjavur (PCR Act Cases) to consider the bail application of the petitioners concerned in Crime No.1191 of 2020 on the file of the 2nd respondent Police and pass orders in accordance with law on the same day of surrender.

2.The allegation against the petitioners is that on 13.11.2020 about 07.00 p.m., two motor cyclists one from Soorakkottai Village and the other from local village dashed against each other at that time the defacto complainant's village people attacked the motorcyclist from the Soorakkottai Village and after compromise, they left the scene of occurrence. Thereafter, on 14.11.2020, about 04.30 p.m., nearly 50 persons came in the car and damaged the defacto complainant's house and household articles and used filthy language by using their caste name and



gave life threat. Hence, the defacto complainant gave a complaint to the 2nd respondent police and based on the same, a case in Crime No.1191 of 2020 for the offences punishable under Sections 147, 323, 427, 452, 294(b) 365 & 342 IPC read with Section 3(1)(r), 3(1)(s) & 3(2)(va) of SC/ST (Prevention of Atrocities) Amendment Act, 2015 has been registered against the petitioners on 14.11.2020. Hence, this petition.

3.Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor. In view of the order going to be passed, notice to the 3rd respondent is not necessary.

4.Considering the abovesaid facts and circumstances of the case, I am of the view that ends of justice would be met by permitting the petitioners to surrender before the learned Additional District and Sessions Judge, Thanjavur (PCR Act Cases) within a period of eight weeks from the date of receipt of a copy of this order. The learned Judge shall dispose of the petitioners' bail petition on the same day of surrender on its own merits. There will be a direction to the respondents/Police not to arrest the petitioners 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)

Bala

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 Additional District and Sessions Judge,
(PCR) Thanjavur.



2)The Deputy Superintendent of Police,
Thanjavur,
Thanjavur District.

3)The Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur District.

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

ORDER MADE IN
Crl.O.P(MD)No.13477 of 2020
DATED : 01.12.2020

NS (CO)
KM (08.12.2020) 3P 5C