



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

CrI.O.P (MD)No.13627 of 2020

Asan Ibraheem

... Petitioner/Sole Accused

Vs

1.The Deputy Superintendent of Police
Puliyangudi Sub-Division
Tenkasi District

2.The Inspector of Police
Kadayanallur Police Station
Tirunelveli District
(Crime No.535 of 2020)Respondents 1 & 2/Complainant

3.RavikumarRespondent No.3/Defacto Complainant

PRAYER: Petition filed under Section 482 of Code of Criminal Procedure, to direct the II Additional District and Sessions Judge Cum P.C.R.Court, Tirunelveli, Tirunelveli District to consider and dispose of the bail application to be filed by the petitioner on the same day of its filing on his surrender in connection with the case in Crime No.535 of 2020 on the file of the Inspector of Police, Kadayanallur Police Station, Tirunelveli District.

For Petitioner : Mr.A.Sivasubramanian

For R1 & R2 : Mr.V.Neelakandan

Additional Public Prosecutor

ORDER

The petitioner is shown as a sole accused in Crime No.535 of 2020 registered on the file of the Inspector of Police, Kadayanallur Police Station, Tirunelveli District for the offence under Sections 463, 465, 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.The learned Additional Public Prosecutor appearing for the respondents 1 and 2, on instructions, would submit that there was a property dispute between the petitioner and the defacto complainant. There is no previous case pending against the petitioner.

4.Considering the present times, notice to the third respondent 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 II Additional District and Sessions Judge Cum P.C.R. Court, Tirunelveli, Tirunelveli District within a period of eight weeks from the date of receipt of a copy of this order. The learned Additional District 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.

6. 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 II Additional District and Sessions Judge
Cum P.C.R. Court, Tirunelveli, Tirunelveli District
2. The Deputy Superintendent of Police
Puliyangudi Sub-Division
Tenkasi District
3. The Inspector of Police
Kadayanallur Police Station
Tirunelveli District
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P (MD) No.13627 of 2020
30.11.2020

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