



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.12.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P (MD)No.14023 of 2020

1. Shanmugamoorthy
2. Praveenkumar @ Praveenraj
3. Manikandan

...Petitioners/A-1, 3 & 4

Vs

1. The State rep. By
The Deputy Superintendent of Police,
Pudukkottai Sub Division,
Pudukkottai District.

- 2.The Inspector of Police,
Vadakadu Police Station,
Pudukkottai District.
Crime No. 560/2020

...1st & 2nd Respondents/Complainants

3. Bhuvaneshwaran
4. Sridharan
5. Radhakrishnan
6. Radha

...3rd to 6th respondents/Complainants

PRAYER: Petition filed under Section 482 of Code of Criminal Procedure, to issue direction to the Special Court for the Exclusive Trial of SC and ST (Prevention of Atrocities) Act Cases at Pudukkottai, to accept the surrender of the petitioners in connection with the Crime No.560 of 2020 on the file of the second respondent police and to consider and dispose the bail application filed by the petitioners on the same day and on merits.

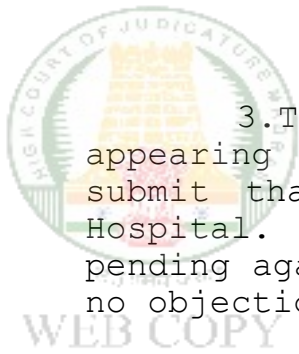
For Petitioners: Ms.A. Banumathy

For R1 & R2 : Mr.V.Neelakandan
Additional Public Prosecutor

O R D E R

The petitioners are A-1, 3 and 4 in Crime No. 560 of 2020, registered on the file of Vadakadu Police Station, pudukkottai District, for the offences under Sections 294(b), 323 of the Indian Penal Code and Sections 3(1)(r), 3(1)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

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



3.The learned Additional Public Prosecutor(Crl.Side) appearing for the 1st and 2nd respondents, on instructions, would submit that the injured person was already discharged from the Hospital. He would further submit that there is no previous case pending against the petitioners. He would further submit that he has no objection for allowing this petition.

4.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor (Crl. Side) appearing for the respondents 1 & 2. Since no adverse order is going to be passed, notice to the respondent Nos.3 to 6 is dispensed with.

5. I am of the view that interest of justice will be served by permitting the petitioners to surrender before the Special Court for the Exclusive Trial of SC and ST (Prevention of Atrocities) Act Cases at Pudukkottai, within a period of eight weeks from the date of receipt of a copy of this order. The learned District Judge 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 petitioners 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)

ksa

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 Judge,
Special Court for the Exclusive Trial of SC and ST
(Prevention of Atrocities),Pudukkottai.



2. The Deputy Superintendent of Police,
Pudukkottai Sub Division,
Pudukkottai District.

3. The Inspector of Police,
Vadakadu Police Station,
Pudukkottai District.

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

CrI.O.P(MD)No.14023 of 2020

04.12.2020

ARK (CO)

NR (23/12/2020) 3P : 5C