



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.12.2020

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

CRL.OP(MD)No.13615 of 2020

Siva @ Sivamareeswaran : Petitioner/2nd Accused

vs.

1)The Deputy Superintendent of Police,
Thirumangalam Sub Division,
Madurai District.

2)The Inspector of Police,
Nagaiyapuram Police Station,
Madurai District.

(Crime No.31 of 2019)

: Respondents/Complainants

3)Murugan

: Respondent/Informant

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, directing the III Additional District Judge, (PCR Court), Madurai, to consider the petitioner's bail application on the same day of his surrender in Crime No.31 of 2019 on the file of the 2nd respondent police.

For Petitioner : Mr.S.Poornachandran

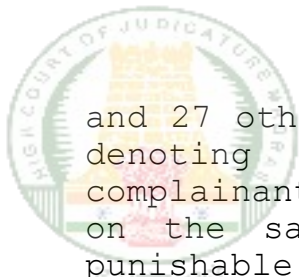
For R1 & R2 : Mr.V.Neelakandan

Additional Public Prosecutor

O R D E R

The present petition has been filed to direct the learned III Additional District Judge, (PCR Court), Madurai, to consider the bail application of the petitioner concerned in Crime No.31 of 2019 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 08.06.2019, the petitioner closed the water tap of the public water tank and when the same was questioned by the 3rd respondent, the petitioner



and 27 others joined and attacked him and they also insulted him by denoting the caste name. Hence, the 3rd respondent/defacto complainant gave a complaint to the 2nd respondent police and based on the same, a case in Crime No.31 of 2019 for the offences punishable under Sections 120-b, 147, 148, 294(b), 323, 324 and 307 IPC and Section 3(1)(r), 3(1)(s) & 3(2)(va) of SC/ST (Prevention of Atrocities) Amendment Act, 2015 on 08.06.2019. Hence, this petition.

3.Heard the learned counsel for the petitioner 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 petitioner to surrender before the learned III Additional District Judge, (PCR Court), Madurai, within a period of eight weeks from the date of receipt of a copy of this order. The learned Judge shall dispose of the petitioner's 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 petitioner till the expiry of the period of eight weeks.

With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-I)

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Sub Assistant Registrar(CS)

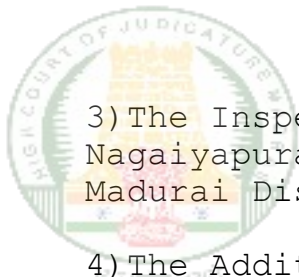
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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The III Additional District Judge(PCR),
Madurai.

2)The Deputy Superintendent of Police,
Thirumangalam Sub Division,
Madurai District.



3)The Inspector of Police,
Nagaiyapuram Police Station,
Madurai District.

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

ORDER MADE IN
CrI.O.P. (MD)No.13615 of 2020
DATED : 01.12.2020

NS (CO)
CS (09.12.2020) 3P 5C