



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.12.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

WEB COPY

Crl.O.P (MD) No.13796 of 2020

A.Venkatesh

...Petitioner/Sole Accused

Vs

1.The Deputy Superintendent of Police,
Tenkasi,
Tenkasi District.

...Respondent No.1

2.The Inspector of Police,
Tenkasi Police Station,
Tenkasi District.
Crime No.441 of 2020

...Respondent No.2 /Complainant

3.Baskaran

...Respondent No.3/Defacto Complainant

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the learned II Additional District and Sessions Judge cum PCR Court, Tirunelveli to consider the petitioner's bail application and dispose the bail application on the same day, if the petitioner surrender before the learned II Additional District Sessions Judge cum P.C.R.Court, Tirunelveli in Crime No.441 of 2020, on the file of the 2nd respondent.

For Petitioner : Mr.R.J.Karthick

For R1 & R2 : Mr.V.Neelakandan

Additional Public Prosecutor (Crl.side)

O R D E R

The petitioner is the sole accused in Crime No.441 of 2020, registered on the file of Tenkasi Police Station, Tenkasi District for the offences under Sections 294(b), 323, 324 and 506(i) IPC r/w Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) 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, on instructions, would submit that First Information Report in Crime No.441 of 2020 has been registered against the petitioner on 21.11.2020 and he is the sole accused in this case. 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 3rd 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 PCR Court, Tirunelveli, 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 petitioner's 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 (AS)

// True Copy //

/ /2020

Sub Assistant Registrar (CS-III)

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 PCR Court, Tirunelveli
2. The Deputy Superintendent of Police, Tenkasi, Tenkasi District.
3. The Inspector of Police, Tenkasi Police Station, Tenkasi District.
4. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

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VRN

TK/SAR.3/18.12.2020/2P/5C