



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. 13975 of 2020

WEB COPY

1. M. Arusami @ Arumugam

2. N. Vanchimuthu

...Petitioners/A-1 & A-2

Vs

1. The State

Rep. By the Inspector of Police

Chathrapatti Police Station,

Dindigul District.

(Crime No. 668 of 2020)

2. The Deputy Superintendent of Police,

Palani Taluk,

Dindigul District.

...1st & 2nd Respondents/Complainants

3. K. Rasan

...3rd respondent/Defacto Complainant

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the District and Sessions Judge (PCR Court), Dindigul District to dispose the bail application filed by the petitioners on merits and on the same day of surrender before the concerned Court, pending investigation of Crime No. 668 of 2020 on the file of the Inspector of Police, Chathrapatti Police Station, Dindigul District.

For Petitioners: Mr.S. Sarvagan Prabhu

For R1 & R2 : Mr.V.Neelakandan

Additional Public Prosecutor

O R D E R

The petitioners are A-1 & A-2 in Crime No.668 of 2020, registered on the file of Chathrapatti Police Station, Dindigul District, for the offences under Sections 294(b), 355 & 506(i) 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) Amendment Act, 2015.

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 there is no previous case pending against the



petitioners and no one was sustained injury in this case. He would further submit that he has no objection for allowing this petition.

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

5. I am of the view that interest of justice will be served by permitting the petitioners to surrender before the learned District and Sessions Judge (PCR Court), Dindigul District, 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 District and Sessions Judge,
(PCR Court) Dindigul District.
2. The Inspector of Police
Chathrapatti Police Station,
Dindigul District.
3. The Deputy Superintendent of Police,
Palani Taluk,
Dindigul District.



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

+1 CC to M/s.S.SARVAGAN PRABHU, Advocate (SR-24222[F] dated
07/12/2020)

Cr1.O.P(MD)No.13975 of 2020

04.12.2020

ARK (CO)

NR (23/12/2020) 3P : 6C