



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.12.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P (MD)No.14400 of 2020

WEB COPY

Jayapandi

... Petitioner/Accused No.3

Vs

1.State represented through the
Deputy Superintendent of Police,
Sivagangai Sub Division,
Sivagangai District.

2.The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District.
Crime No.481 of 2020

...Respondent Nos.1 &2/
Complainant

3.Mrs.Indhira

...Respondent No.3/
Defacto Complainant

4.Mr.Alagar

5.Mr.Malaikannan

6.A.Kiruthika

....Victims

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the learned Special Judge for Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act Cases / Additional District Sessions Judge (PCR Unit), Sivagangai District to consider the bail application of the petitioner on the same day of surrender in Crime No.481 of 2020 on the file of the 2nd respondent police station.

For Petitioner : Mr.R.Karunanidhi

For R1 & R2 : Mr.V.Neelakandan

Additional Public Prosecutor (Crl.side)

ORDER

The petitioner is shown as 3rd accused in Crime No.481 of 2020, registered on the file of Sivagangai Taluk Police Station, Sivagangai District, for the offences under Sections 147, 148, 294 (b), 323, 324, 506(ii) IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 and Sections 3(1)(r), 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989.

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

3.The learned Additional Public Prosecutor (Crl.Side)

<https://hcservices.ecourts.gov.in/hcservices/>



appearing for the 1st and 2nd respondents would submit that totally three accused and four others in this case. The petitioner is the third accused. The injured was discharged from the Hospital. 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 (CrI. 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 petitioner to surrender before the learned Special Judge for Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act Cases / Additional District Sessions Judge (PCR Unit), Sivagangai 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 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 (CO)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

vrn

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 Special Court for SC & ST
(Prevention of Atrocities) Act Cases / Additional District
Sessions
Judge (PCR Unit), Sivagangai District



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

3.The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District.
Crime No.481 of 2020

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

+2 CC to M/s.R.KARUNANIDHI, Advocate (SR-25014[F] dated
10/12/2020), (SR-25197[F] dated 11/12/2020)

Crl.O.P(MD)No.14400 of 2020
10.12.2020

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KUN(CO)

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