



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.12.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P(MD)No.14653 of 2020

Adithya : Petitioner/Accused No.3

Vs

1. State rep by
The Deputy Superintendent of Police,
Bodinayakkanur Sub-Division,
Theni District.

2. State rep by
the Sub Inspector of Police,
Bodinayakkanur Rural Police Station,
Theni District.

In Crime No.2302 of 2020

: 1st & 2nd Respondents/
Complainants

3.Muneesh Kumar

: 3rd respondent/Defacto
Complainant

PRAYER: Petition filed under Section 482 of Code of Criminal Procedure, to direct the Additional Sessions Judge, Special Court for SC/ST (POA) Act, Theni to consider the petitioner's bail petition at the time of his surrender on the very same day concerned in Crime No.2302 of 2020 pending investigation on the file of the 2nd respondent.

For Petitioner : Mr.M.Maran

For R1 & R2 : Mr.V.Neelakandan

Additional Public Prosecutor (Crl.side)

O R D E R

The petitioner is shown as 3rd accused in Crime No.2302 of 2020, registered on the file of Bodinayakkanur Rural Police Station, Theni District, for the offences under Sections 147, 448, 294(b), 324, 506 (ii) IPC along with 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 petitioner 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 totally there are 5 accused in this case. The petitioner is the third accused. The Accused Nos.1,2 & 4 were arrested and released on bail. Three injured persons were discharged from the Hospital. No previous case is pending against the petitioner. 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 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 Additional Sessions Judge, Special Court for SC/ST (POA) Act, Theni, 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 (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

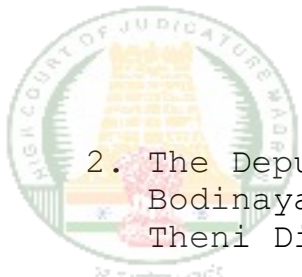
Vrn

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 Additional Sessions Judge,
Special Court for SC/ST (POA) Act,
Theni.



2. The Deputy Superintendent of Police,
Bodinayakkanur Sub-Division,
Theni District.
3. The Sub Inspector of Police,
Bodinayakkanur Rural Police Station,
Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P(MD)No.14653 of 2020
14.12.2020

DKS (CO)
CS (21.12.2020) 3P 5C