



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2020

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

CrI.O.P (MD)No.14542 of 2020

1.Karuppasamy @ Ravi
2.Ramachandran @ Moorthy
3.Vellapandi : Petitioners/Accused Nos.1,3 & 4

Vs

1. The Deputy Superintendent of Police,
Sankarankovil Sub Division,
Sankarankovil,
Tenkasi District.
2. State Rep by Inspector of Police,
Karivalamvanthanallur Police Station,
Karivalamvanthanallur,
Tenkasi District. : 1st & 2nd Respondents/Complainants
3.Ponraj @ Roopan : 3rd Respondent/Complainant
4.Rathinaraj : 4th Respondent/victim

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the learned II Additional District Judge cum Sessions Judge (PCR Court), Tirunelveli to accept the surrender of the petitioners and consider their bail application on the same day on merits in relating to Crime No.406 of 2020, on the file of the 2nd respondent police.

For Petitioners : Mr.P.T.Thiraviam
For R1 & R2 : Mr.V.Neelakandan
Additional Public Prosecutor (CrI.side)

O R D E R

The petitioners are shown as accused Nos.1,3 & 4 in Crime No.406 of 2020, registered on the file of Karivalamvanthanallur Police Station, Tenkasi District, for the offences under Sections 294(b), 323, 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) 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 totally there are four accused in this case. The petitioners are arrayed as Accused Nos.1, 3 & 4. The 1st and 2nd accused are arrested and still they are in custody. Two injured persons were discharged from the Hospital. No previous case is pending against these petitioners. 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 respondent Nos.3 & 4 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 II Additional District Judge cum Sessions Judge (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 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 (C.O)

// 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 II Additional District Judge cum Sessions Judge (PCR Court), Tirunelveli.



2. The Deputy Superintendent of Police,
Sankarankovil Sub Division,
Sankarankovil,
Tenkasi District.

3. The Inspector of Police,
Karivalamvanthanallur Police Station,
Karivalamvanthanallur,
Tenkasi District.

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

+1 CC to Mr.P.T.THIRAVIAM, Advocate (SR-25171[F] dated 11/12/2020)

Crl.O.P(MD)No.14542 of 2020
11.12.2020

KVN(CO)
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