



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 16.12.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P (MD) No.14889 of 2020

WEB COPY

1.S.Ramalingam
2.S.Ajith @ Harith
3.S.Sundar
4.M.Muthu @Muthukrishnan
5.R.Hari Krishnan @ Arikrishnan
6.Ramarpitchai
7.D.Prithviraj @ Prithivi
8.S.Jegan
9.P.Kannan @ Krishna Kannan

Petitioners/Accused Nos.
3,5,6,9,10,12,13,18 &22

Vs

1.The Deputy Superintendent of Police,
Nanguneri Range,
Tirunelveli District.

2.The Inspector of Police,
Koodangulam Police Station,
Tirunelveli District.
(Crime No.363 of 2020)

1st & 2nd Respondents /
Complainants

3.Kathiravan

3rd Respondent /
Defacto Complainant (victim)

4.Murugan
5.Murugesan
6.Subharani

4 to 6 Respondents/Victims

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the learned I Additional District and Sessions Court cum Special Court for Trial of Cases SC/ST (POA) Act, Tirunelveli to accept the surrender of the petitioners/accused and consider the petitioners' bail application and grant bail on the date of surrender itself in Crime No.363 of 2020, on the file of the 2nd respondent police.

For Petitioner : Mr.K.Sivabalan

For R1 & R2 : Mr.V.Neelakandan
Additional Public Prosecutor (Crl.side)



O R D E R

The petitioners are arryaed as accused in Crime No.363 of 2020, registered on the file of Koodangulam Police Station, Tirunelveli District., for the offences under Sections 147, 148, 294(b), 323, 324, 427, 506(ii) 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, Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 and Section 3 of Tamil Nadu Public Property (Prevention of Damage & Loss) Act, 1992

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 totally there are 23 accused in this case. The petitioners are A3, 5, 6, 9, 10, 22, 18, 12 & 13. The Accused Nos.1,2,7 & 8 are still in custody. One previous case is pending against the accused Nos.1,3 & 7. 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 (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 petitioners to surrender before the learned I Additional District and Sessions Court cum Special Court for Trial of Cases SC/ST (POA) Act, 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.

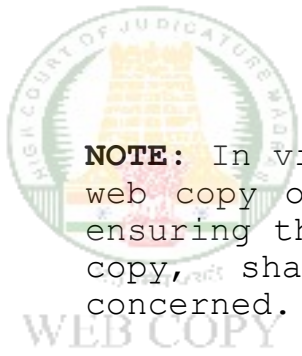
Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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 I Additional District and Sessions Court cum Special Court for Trial of Cases SC/ST (POA) Act, Tirunelveli
- 2.The Deputy Superintendent of Police,
Nanguneri Range,
Tirunelveli District.
- 3.The Inspector of Police,
Koodangulam Police Station,
Tirunelveli District.
(Crime No.363 of 2020)
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.K.SivaBalan, Advocate Sr.No.26360

Crl.O.P(MD)No.14889 of 2020

16.12.2020

PM(CO)

NR (11/01/2020) 3P : 6C