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Crl.O.P.(MD)No.14645 of 2020

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.14645 of 2020

Marimuthu ...Petitioner/Sole Accused
Vs

1.The Deputy Superintendent of Police,
Sivagangai
Sivagangai District.

2.The Inspector of Police,
Kalayarkovil Police Station,
Sivagangai District.
Crime No.646/2020

...1st & 2nd Respondents/Complainants

3.Maruthupandian ...3rd respondent/Defacto Complainant

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the learned Sessions Judge and Special Court for P.C.R., Sivagangai to accept the surrender of the petitioner in connection with the Crime No.646/2020, pending investigation on the file of the 2nd respondent police and to consider and pass orders in the bail application on the same day.

For Petitioner : Mr.V.Kannan

For R1 & R2 : Mr.V.Neelakandan

Additional Public Prosecutor (Crl.side)

O R D E R

The petitioner is the sole accused in Crime No.646 of 2020, registered on the file of Kalayarkovil Police Station, Sivagangai District, for the offences under Sections 294(b), 323 of the Indian Penal Code, 1860 along with Sections 3(1)(r), 3(1)(s) 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 the petitioner is the sole accused in this case. The injured person was discharged from the Hospital. No previous case is pending against the petitioner. He would further submit that he has

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



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.

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5. I am of the view that interest of justice will be served by permitting the petitioner to surrender before the learned Sessions Judge, Special Court for P.C.R. Act Cases, Sivagangai 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-I)

// 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 Sessions Judge,
Special Court for P.C.R. Act Cases,
Sivagangai.
2. The Deputy Superintendent of Police,
Sivagangai
Sivagangai District.
3. The Inspector of Police,
Kalayarkovil Police Station,
Sivagangai District.



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

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14.12.2020

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DKS (CO)
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