



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.12.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P(MD)No.15093 of 2020

R.Kalyana Sundaram

..Petitioner/Accused No.1

Vs

1.The Deputy Superintendent of Police,
Uthamapalayam,
Theni.

2.The Inspector of Police (AWPS),
Uthamapalayam Police Station,
Theni District.
Cr.No.09/2020.

..Respondents/Complainant

3.L.Saritha

..Defacto Complainant/Respondent

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to accept the surrender of the petitioner before the Special Court for SC/ST Atrocities Act I.e., The District and Sessions Judge (Special Court for P.C.R.Cases), Theni in connection with the Crime No.09 of 2020 on the file of the respondent police and to consider the bail application filed by the petitioner on the same day.

For Petitioner : Mr.A.Joseph Jerry

For R1 & R2 : Mr.V.Neelakandan

Additional Public Prosecutor (Crl.side)

O R D E R

The petitioner is arrayed as accused No.1 in Crime No.9 of 2020, registered on the file of Uthamapalayam Police Station, Theni District, for the offences under Sections 417, 376, 294(b), 323 and 506(ii) of IPC r/w Section 3 (1) (f), 3(1)(s), 3(2)(v) of SC/ST (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, on instructions, would submit that totally there are 6 accused in this case. The petitioner is A1. The Accused Nos.2 to 6 are filed a direction petition in Crl.O.P(MD)No.15086 of 2020 and this Court has granted a direction on 17.12.2020. 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 petitioner to surrender before the learned District and Sessions Judge (Special Court for P.C.R.Cases), Theni, within a period of four weeks from the date of receipt of a copy of this order, on notice to the defacto complainant. 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 four 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 District and Sessions Judge
(Special Court for P.C.R.Cases),
Theni.
- 2.The Deputy Superintendent of Police,
Uthamapalayam,
Theni.
- 3.The Inspector of Police (AWPS),
Uthamapalayam Police Station,
Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P (MD) No.15093 of 2020
18.12.2020

KUN (CO)

KB (28.12.2020) 2P 5C

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