



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.12.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P (MD)No.15517 of 2020

1.Arumugam
2.Mahesh
3.Alagu Murugan

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Nilakkottai Range,
Dindigul,
Crime No.777 of 2020.

2.The State rep by Inspector of Police,
Nilakottai Police Station,
Dindigul.

3.Rengasamy

... Respondents

PRAYER: Petition filed under Section 482 Cr.P.C., to direct the Special Judge for SC/ST(POA) Amendment Act, 2015 cases, Dindigul to accept the surrender of the petitioners and consider their bail application for release of petitioners in Crime No.777 of 2020 on the file of the Inspector of Police, Nilakkottai Police Station, Dindigul District now under investigation by the Deputy Superintendant of Police.

For Petitioner : Mr.K.Appadurai

For R1 & R2 : Mr.V.Neelakandan
Additional Public Prosecutor

ORDER

The petitioners are the accused in Crime No.777 of 2020, registered on the file of Nilakottai Police Station, Dindigul District, for the offences under Sect 294(b), 323, 354 A, 506(2) of the Indian Penal Code, 1860 along with Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.

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 the petitioners are the accused nos.2 to 4 in this case. No previous case is pending against the petitioners and no one sustained injury in this case. A counter case has also been registered in Crime No.778 of 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 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 petitioners to surrender before the learned Special Judge for SC/ST(POA) Amendment Act, 2015 cases, Dindigul 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 (CS III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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 Special Judge for SC/ST(POA) Amendment Act, 2015, Cases,
Dindigul.

2. The Deputy Superintendent of Police,
Nilakkottai Range, Dindigul,

3. The Inspector of Police,
Nilakottai Police Station,
Dindigul.

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

Crl.O.P (MD) No.15517 of 2020
23.12.2020

SS (CO)

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