



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.12.2020

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

CrI.O.P (MD) No.15372 of 2020

- 1.Raffiq Raja @ Ravik Raja
- 2.Sathish Kumar
- 3.Ajith
- 4.Kannan
- 5.Karthik @ Karthik Raja
- 6.Sanjiv @ Sanjeev Kumar
- 7.Sarath Kumar @ Sarath Babu
- 8.Kaviyarasan @ Kaviyarasu
- 9.Mathivanan
- 10.Muthu Krishnan
- 11.Thilakar
- 12.Praveen @ Praveen Kumar
- 13.Viknesh @ Kavashkar
- 14.Vasuki
- 15.Selvi
- 16.Sarath Kumar
- 17.Karthikai Sami @ Karthik
- 18.Manikandan

... Petitioners

Vs.

1. The State represented by its,
The Deputy Superintendent of Police,
Sivagangai,
Sivagangai District.
2. The Inspector of Police,
Elayangudi Police Station,
Sivagangai District.
(Crime No.441 of 2020)

3. Kannan

... Respondents

PRAYER: Petition filed under Section 482 Cr.P.C., to direct the Sessions Judge, Special Court for Exclusive Trial of cases under SC/ST (POA) Act, Sivagangai to consider the bail application of the petitioners on the very same day of their surrender in connection with the FIR in Crime No.441 of 2020 on the file of the second respondent police station.



For Petitioner : Mr.M.S.Jeyakarthik
For R1 & R2 : Mr.V.Neelakandan
Additional Public Prosecutor

ORDER

WEB COPY

The petitioners are the accused in Crime No.441 of 2020, registered on the file of Elayangudi Police Station, Sivagangai District, for the offences under Sections 143, 341, 269, 270, 271, 506(2) of the Indian Penal Code, 1860 along with Sections 3(1)(y), 3(1)(za)(A) 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 the petitioners are the accused in this case. No previous case is pending against the petitioner and no one sustained injury in this case. A counter case has also been registered in Crime No.443 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.

5.I am of the view that interest of justice will be served by permitting the petitioners to surrender before the learned Sessions Judge, Special Court for Exclusive Trial of cases under SC/ST (POA) Act, 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 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.

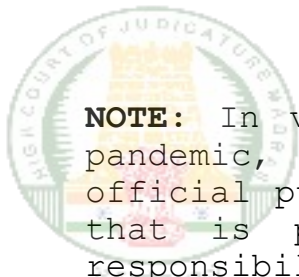
Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /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.

WEB COPY

To

- 1.The Sessions Judge, Special Court for
Exclusive Trial of cases under SC/ST (POA)Act,
Sivagangai
2. The Deputy Superintendent of Police,
Sivagangai,
Sivagangai District.
3. The Inspector of Police,
Elayangudi Police Station,
Sivagangai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+2CCs to Mr.M.s.Jeyakarthik, Advocate, SR.Nos.27305 & 27096.

Crl.O.P (MD) No.15372 of 2020
23.12.2020

SS (CO)
CS (04.01.2021) 3P 7C