



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.12.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P (MD)No.15407 of 2020

Mariammal

..Petitioner/Accused No.2

Vs

1.The Deputy Superintendent of Police

Sankarankovil

Tenkasi District

...1st Respondent

2.State represented by its

Inspector of Police

Ayyapuram Police Station

Tenkasi District

(Crime No.136 of 2020)

...2nd Respondent/Complainant

3.Indirani

...3rd Respondent/Defacto Complainant

PRAYER: Petition filed under Section 482 of Code of Criminal Procedure, to direct the II Additional District and Sessions Judge Cum P.C.R. Court, Tirunelveli to consider the petitioner's bail application and dispose the bail application on the same day, if the petitioner surrenders before the II Additional District and Sessions Judge Cum P.C.R. Court, Tirunelveli in Crime No.136 of 2020 on the file of the second respondent.

For Petitioner : Mr.R.J.Karthick

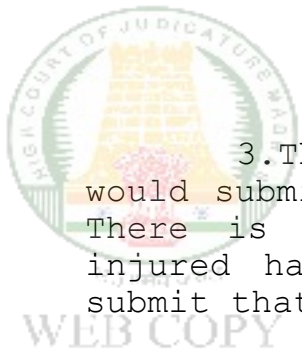
For R1 & R2 : Mr.V.Neelakandan

Additional Public Prosecutor (Crl.side)

O R D E R

The petitioner is the accused No.2 in Crime No.136 of 2020 registered on the file of Ayyapuram Police Station, Tenkasi District for the alleged offences under Sections 294(b), 342, 323, 506(i) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act and Section 3(1)(r), 3(1)(s), 3(2)(va) of the Scheduled Caste and the 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, on instructions, would submit that the petitioner is the accused No.2 in this case. There is no previous case pending against the petitioner. The injured has been 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 petitioner to surrender before the learned II Additional District and Sessions Judge Cum P.C.R. Court, Tirunelveli within a period of four weeks from the date of receipt of a copy of this order. The learned 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(CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

msa

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 II Additional District and Sessions Judge Cum P.C.R. Court,
Tirunelveli
- 2.The Deputy Superintendent of Police
Sankarankovil
Tenkasi District



3.The Inspector of Police
Ayyapuram Police Station
Tenkasi District

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

Crl.O.P(MD)No.15407 of 2020
22.12.2020

SV2 (CO)
TR(30.12.2020) 3P 5C