



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.01.2021

CORAM :

THE HONOURABLE Mrs. JUSTICE R.HEMALATHA

Crl.O.P. (MD)No.27 of 2021

1.Nagarajan
2.Kutty Raj @ Subramanian
3.Muthupandi ... Petitioners/Accused No.2, 3 & 5

Vs.

1.The Deputy Superintendent of Police,
Ambasamudhiram,
Tirunelveli District.
2.The Inspector of Police,
Ambasamudhiram Police Station,
Tirunelveli District.
(Crime No.459 of 2020) ... Respondents 1 & 2/Complainant
3.Mahesh ... 3rd Respondent/Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of Cr.P.C to direct the II Additional Sessions Judge (Special Court for PCR cases), Tirunelveli to consider the petitioner's bail application on the same day of their surrender in Crime No.459 of 2020 on the file of the second respondent.

For Petitioner : Mr.T.Lenin Kumar
For Respondents 1 & 2 : Mr.R.Erottuchamay
Government Advocate (Crl.side)

ORDER

The petitioners are the accused Nos.2, 3 and 5 in Crime No.459 of 2020 of Inspector of Police, Ambasamudhiram Police Station, Tirunelveli District. The said case was registered against the accused under Sections 147, 148, 294(b), 324, 323 and 506 (ii) IPC r/w 3(1)(r), 3(1)(s) & 3(2)(va) of the Schedule Castes and Schedule Tribes (Prevention of Atrocities) Amendment Act, 1989.

2.The present petition filed by the petitioners is to direct the II Additional Sessions Judge (Special Court for PCR cases), Tirunelveli, to accept the surrender of the petitioners and also to consider the bail application on the same day.



3.Mr.R.Erottuchamy, learned Government Advocate (Crl.side) takes notice for the respondents 1 and 2. The third respondent is the de-facto complainant.

4.Since the prayer itself is to accept the surrender of the petitioners and consider the bail application by the learned II Additional Sessions Judge (Special Court for PCR cases), Tirunelveli, this Court is inclined to pass the following orders :-

1) The petitioners should appear before the learned II Additional Sessions Judge (Special Court for PCR cases), Tirunelveli, within a period of 15 days from the date of receipt of a copy of this order / uploading of the order.

2) On such surrender, concerned Sessions Judge, may consider the bail application filed by the petitioners on merits, after giving notice to the concerned Public Prosecutor.

5.With the above observation, this Criminal Original Petition is disposed of.

Sd/
Assistant Registrar(CS-II)

/True copy/

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.

To

1.The II Additional Sessions Judge,
(Special Court for PCR Cases),
Tirunelveli.

2.The Deputy Superintendent of Police,
Ambasamudhram,
Tirunelveli District.



3.The Inspector of Police,
Ambasamudhiram Police Station,
Tirunelveli District.

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

+1. cc. To Mr.T.Lenin Kumar, Advocate in SR No.391

CrI.O.P. (MD) No.27 of 2021
06.01.2021

rmk
PK/18.01.2021 : 3P/6C