



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.01.2021

CORAM :

THE HONOURABLE Mrs. JUSTICE R. HEMALATHA

Crl.O.P.(MD)No.121 of 2021

Rajapandi @ Rajapandiyan

... Petitioner/Sole Accused

Vs.

1.The State

rep., by the Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Manamadurai, Sivagangai District.

2.The Inspector of Police,

Thiruppuvanam Police Station,
Sivagangai District.
(Crime No.617/2020)

3.Nagaraj

... Respondents/Complainant/
Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of Cr.P.C to direct the learned Sessions Judge, Special Court for Exclusive Trial of cases under Section SC/ST (POA) Act,1989, Sivagangai to consider the bail application of the petitioners on the same day of his surrender itself in Crime No.617/2020 on the file of the second respondent police.

For Petitioner

: Mr.D.S.Haroon Rasheed

For Respondents 1 & 2

: Mr.R.Erottuchamay

Government Advocate (Crl.side)

ORDER

The petitioner is the sole accused in Crime No.617 of 2020 of Thiruppuvanam Police Station, Sivagangai District. The said case was registered against the accused under Sections 294(b), 324 and 506(ii) IPC r/w Sections 3(1)(r) and 3(1)(s) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act.

2.The present petition filed by the petitioner is to direct the learned Sessions Judge, Special Court for Exclusive Trial of cases under Section SC/ST (POA) Act,1989, Sivagangai, to accept the surrender of the petitioner 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



petitioner and consider the bail application by the learned Sessions Judge, Sivagangai, this Court is inclined to pass the following orders :-

- 1) The petitioner should appear before the learned Sessions Judge, Special Court for Exclusive Trial of cases under Section SC/ST (POA) Act, 1989, Sivagangai, 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 petitioner 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-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmk

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 Sessions Judge, Special Court for Exclusive Trial of cases under Section SC/ST (POA) Act, 1989, Sivagangai.
2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Manamadurai, Sivagangai District.
3. The Inspector of Police,
Thiruppuvanam Police Station, Sivagangai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to:- The Registrar(Judicial),
Madurai Bench of Madras High Court, Madurai.

Crl.O.P. (MD) No.121 of 2021
07.01.2021