



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.01.2021

CORAM :

THE HONOURABLE Mrs. JUSTICE R. HEMALATHA

Crl.O.P.(MD)No.143 of 2021

Mani @ Vadivel Manikandan

...Petitioner/Accused No.1

Vs.

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

2.The Inspector of Police,
Ambasamudhram Police Station,
Tirunelveli District.
(Crime No.459 of 2020)

3.Mahesh ...Respondents/Complainant/Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of Cr.P.C to direct the learned 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.Leninkumar

For Respondents 1 & 2 : Mr.R.Erottuchamay

Government Advocate (Crl.side)

ORDER

The petitioner is the first accused in Crime No.459 of 2020 of Ambasamudhram 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) and 3(2)(va) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 1989.

2.The present petition filed by the petitioner is to direct the learned II Additional Sessions Judge (Special Court for PCR cases), Tirunelveli, 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, Tirunelveli, this Court is inclined to pass the following orders :-

<https://hcservices.mca.gov.in/cases>



1) The petitioner 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 petitioner on merits, after giving notice to the concerned Public Prosecutor(*)**on the same day of surrender.**

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

Sd/-

Assistant Registrar (CS-I)

**(*)Amended as per order of this Court dated 09.02.2021
made in CRL MP(MD).926 of 2021 in CRL OP(MD).143 of 2021**

Sd/-

Assistant Registrar (T & P)

// 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

(*)to be substituted the order already despatched on 27.01.2021

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

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



3.The Inspector of Police,
Ambasamudhram Police Station,
Tirunelveli 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.

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-766[F] dated
11/01/2021)

Crl.O.P. (MD) No.143 of 2021
07.01.2021

KUN(CO)
KB(25.01.2021) 3P 6C
TR(15.02.2021) 3P 7C