



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.01.2021

CORAM :

THE HONOURABLE Mrs. JUSTICE R. HEMALATHA

Crl.O.P.(MD)No.235 of 2021

M.Mohamed Iqbal ... Petitioner/Accused Rank not known

Vs.

1.The Deputy Superintendant of Police,
Pattukottai,
Thanjavur District.

2.State rep. by
The Inspector of Police,
Adiramapattinam Police Station,
Thanjavur District.
(Crime No.1465 of 2020) ... Respondents / Complainant

3.S.Maheswari ... Respondent/Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the learned I Additional District & Sessions Judge (PCR Court), Thanjavur, to accept the surrender of the petitioner and consider his bail application on the same day on merits relating to Crime No.1465 of 2020, dated 26.12.2020 on the file of the respondent police.

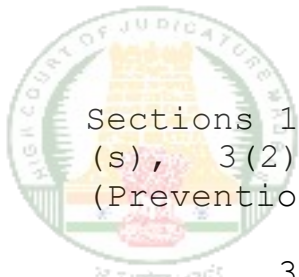
For Petitioner : Mr.D.Selvanayagam
for Ahmad Associates

For Respondents 1 & 2 : Mr.R.Erottuchamy,
Government Advocate (Crl. side)

ORDER

The present petition is filed by the petitioner under Section 482 Cr.P.C., seeking for a direction to accept the surrender of the petitioner and consider his bail application on the same day on merits in Crime No.1465/2020 of Adiramapattinam Police Station, Thanjavur District.

2.The Inspector of Police, Adiramapattinam Police Station, registered a FIR in Crime No.1465/2020 against the accused and other persons for the offences punishable under



Sections 147, 294(b), 342, 302 of IPC., and Section 3(1) (r), 3(1) (s), 3(2) (va) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Amendment Act, 2015.

3.The main contention of the petitioner is that he has not involved in the alleged offences punishable under Sections 147, 294(b), 342, 302 of IPC., and Section 3(1) (r), 3(1) (s), 3(2) (va) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Amendment Act, 2015 and therefore, he seeks direction of this Court, to accept the surrender and consider the bail application on the same day on merits.

4.Mr.R.Erottuchamy, learned Government Advocate, who takes notice for the respondents 1 and 2, would contend that the petitioner is also one of the accused in Crime No.1465/2020 and since this is a case registered under Section 302 of IPC and therefore, he raised serious objection for allowing the application.

5.Since the offences are punishable under Sections 147, 294(b), 342, 302 of IPC., and Section 3(1) (r), 3(1) (s), 3(2) (va) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Amendment Act, 2015, this Court is not inclined to allow this application.

6.Accordingly, the Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 1st Additional District and Sessions Judge,
(PCR Court), Thanjavur.

2.The Deputy Superintendant of Police,
Pattukottai,
Thanjavur District.

3.The Inspector of Police,
Adiramapattinam Police Station,
Thanjavur District.

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

Crl.O.P. (MD) No.235 of 2021
08.01.2021

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TR(22.01.2021) 3P 5C