



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.01.2021

CORAM :

THE HONOURABLE Mrs. JUSTICE R. HEMALATHA

Crl.O.P.(MD)No.379 of 2021

1.Mariappan
2.M.Petchiammal

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Thoothukudi Town,
Thoothukudi District.

2.The State rep., by
The Inspector of Police,
Thazhamuthunagar Police Station,
Thoothukudi District.
(In Crime No.2 of 2021)

3.Chanthiran

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of Cr.P.C to direct the Additional District and Sessions Court, (PCR), Thoothukudi, Thoothukudi District to accept the surrender of the petitioners and consider the petitioners bail application and grant bail on the date of surrender itself in Crime No.2 of 2021 dated 01.01.2021 on the file of the second respondent police.

For Petitioners : Mr.P.Banuprasath
For Respondents 1 & 2 : Mr.R.Erottuchamay
Government Advocate (Crl.side)

ORDER

The petitioners are the accused Nos.3 and 4 in Crime No.2 of 2021 of Thazhamuthunagar Police Station, Thoothukudi District. The said case was registered against the accused under Sections 341, 294 (b), 323, 363 and 355 IPC and Sections 3(1)(r), 3(1)(s), 3(2)(va) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act, 1989.

2.The present petition filed by the petitioners is to direct the Additional District and Sessions Court, (PCR),

<https://hcservices.ecourts.gov.in/hcservices/>



Thoothukudi, Thoothukudi District, 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 Sessions Judge, Thoothukudi, this Court is inclined to pass the following orders :-

1) The petitioners should appear before the learned Additional District and Sessions Judge, (PCR), Thoothukudi, Thoothukudi District, 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 (CO)

// 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 Deputy Superintendent of Police,
Thoothukudi Town,

Thoothukudi District.
<https://hcservices.hcourtsgov.in/services>



2.The Inspector of Police,
Thazhamuthunagar Police Station,
Thoothukudi District.

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

Copy to:

The Additional District and Sessions Judge(PCR),
Thoothukudi, Thoothukudi District.

+1 CC to M/s.P.BANU PRASATH, Advocate (SR-772[F] dated 11/01/2021)

Crl.O.P.(MD)No.379 of 2021

11.01.2021

KUN (CO)
NR (22/01/2020) 3P : 6C