



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.02.2021

CORAM :

THE HONOURABLE **Mrs. JUSTICE R. HEMALATHA**

CrI.O.P. (MD)No.1455 of 2021

1.Premkumar

2.Selvi

...Petitioners /Accused No.2 & 3

/Vs./

1.The Deputy Superintendant of Police,
Tirunelveli,
Tirunelveli District.

2.The Inspector of Police,
Devarkulam Police Station,
Tirunelveli District. ...Respondents 1 & 2 / Complainant

3.Solaiyappan ...Respondent No.3/ *Defacto*
Complainant

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the II Additional Sessions Judge, Special Court for PCR Act cases, Tirunelveli, to consider the bail application of the petitioners on the same day of the surrender of the petitioners in Crime No.26 of 2021 on the file of the second respondent police.

For Petitioners : Mr.Leninkumar.T

For Respondents 1 & 2 : Mr.R.Erotychamy

Government Advocate (Criminal side)

ORDER

The petitioners are the accused No.2 and 3 in Crime No.26 of 2021 of Devarkulam Police Station, Tirunelveli District and the offences alleged against the accused are under Sections 294(b), 323 and 506(2) of India Penal Code read with Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Amendment Act, 2015.

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

3.Mr.R.Erotychamy, learned Government Advocate (Criminal side) accepts notice for the respondents 1 and 2. The third respondent is the de-facto complainant / victim.



4.Since the prayer itself is to accept the surrender of the petitioners and consider the bail application, on the same day of surrender this Court is inclined to pass the following orders :-

- 1) The petitioners should appear before the learned II Additional District Judge (PCR Act 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, the learned II Additional District Judge (PCR Act cases), Tirunelveli, may consider the bail application filed by the petitioners on merits, on the same day of surrender 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)

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 Additional District Judge(PCR Act Cases), Tirunelveli.
- 2.The Deputy Superintendant of Police,
Tirunelveli,Tirunelveli District.
- 3.The Inspector of Police,
Devarkulam Police Station,Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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