



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **09.02.2021**

CORAM :

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

Crl.O.P.(MD)No.1874 of 2021

Pandi @ Muthuvijayapandiyan ...Petitioner/Accused No.2
/Vs./

1.The State represented by
The Inspector of Police,
Sanarpati Police Station,
Dindigul District.
(Crime No.09 of 2021)

2.The Deputy Superintendent of Police,
Dindigul Taluk, Dindigul District

3.Perumal ... Respondents 1 & 2/Complainant
4.Kaliammal ... 3rd Respondent/Defacto Complainant
... 4th Respondent/Victim

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the District and Sessions Judge (PCR Act Cases), Dindigul District, to consider the bail application of the petitioner on the same day of his surrender in Crime No.09 of 2021 on the file of the first respondent police.

For Petitioner : Mr.S.Saravagan Prabhu
For Respondents 1 & 2 : Mr.S.Chandra Sekar
Additional Public Prosecutor

ORDER

The petitioner is the second accused in Crime No.09 of 2021 of Sanarpati Police Station, Dindigul District and the offences alleged against the accused are under Sections 447, 294(b), 323 and 506 (i) of the India Penal Code read with Sections 3(1)(r) and 3(1)(s) of the Schedule Castes and Schedule Tribes (Prevention of Atrocities) Amendment Act, 2015.

2.The present petition filed by the petitioner is to direct the District and Sessions Judge (PCR Act Cases), Dindigul District, to accept the surrender of the petitioner and to consider the bail application on the same day.



3.Mr.S.Chandra Sekar, learned Additional Public Prosecutor accepts notice for the respondents 1 and 2. The third respondent is the de-facto complainant and the fourth respondent is the victim.

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

- 1) The petitioner should appear before the learned Sessions Judge, Special Court for Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act cases, Dindigul, 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 Sessions Judge, may consider the bail application filed by the petitioner on merits, on the same day of his surrender, after giving notice to the concerned Public Prosecutor.

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

Sd/-

Assistant Registrar(Writ)

// 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 Sessions Judge,
Special Court for Schedule Castes and
Schedule Tribes (Prevention of Atrocities) Act cases,
Dindigul,



2. The Inspector of Police,
Sanarpati Police Station,
Dindigul District.

3.The Deputy Superintendant of Police,
Dindigul Taluk, Dindigul.

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

Crl.O.P. (MD) No.1874 of 2021
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mj (CO)

TR(26.02.2021) 3P 5C