



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.02.2021

CORAM :

THE HONOURABLE Mrs. JUSTICE R. HEMALATHA

CrI.O.P.(MD)No.1678 of 2021

Moorthy @ Thirumoorthi ... Petitioner/A2

Vs.

1.The Deputy Superintendent of Police,
Kottaipattinam,
Pudukottai District.

2.The Inspector of Police,
Mimisal Police Station,
Pudukottai District.

... Respondents/Complainant

3.Mathan

... 3rd Respondent/Defacto
Complainant/Victim

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the Principal District Judge (Special Court for PCR Act Cases), Pudukottai, to consider the bail application of the petitioner on the same day of his surrender in Crime No.80 of 2021 on the file of the second respondent police.

For Petitioner : Mr.K.Sathishkumar

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

ORDER

The petitioner is the second accused in Crime No.80 of 2021 of Mimisal Police Station, Pudukottai District and the offences alleged against the accused are under Sections 342, 365, 294(b), 323 and 506 (ii) of the India Penal Code and Sections 3(1) (a), 3(1)(r), 3(1)(s) and 3(2)(va) 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 learned Principal District Judge (Special Court for PCR Act Cases), Pudukottai, to accept the surrender of the petitioner and to consider the bail application on the same day.

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



3.Mr.R.Erottuchamy, 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 petitioner and to consider the bail application on the same day of surrender, this Court is inclined to pass the following orders :-

- 1) The petitioner should appear before the Sessions Judge, Special Court for Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act, Pudukottai 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 petitioner 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 (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sjj

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 Trial of Cases registered under the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act, Pudukottai District.

2.The Principal District Judge,
(Special Court for PCR Act Cases), Pudukottai.

3.The Deputy Superintendent of Police,
Kottaipattinam,

<https://hcservices.pudukottai.nic.in/hcservices>



4.The Inspector of Police,
Mimisal Police Station,
Pudukottai District.

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

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VB (24.02.2021) 3P 6C