



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **09.02.2021**

CORAM :

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

Crl.O.P.(MD)No.1847 of 2021

Kannan

...Petitioner

/Vs./

1.The State represented by
Deputy Superintendant of Police,
Sivagangai Sub Division,
Sivagangai.

2.The State represented by
The Inspector of Police,
Ilayankudi Police Station,
Sivagangai District.
(Crime No.294 of 2006)

3.R.Palkumar

...Respondents

Prayer: Criminal Original Petition filed under Section 482 of Code of Criminal Procedure, to direct the Additional District and Sessions Court for the Exclusive Trial of PCR Act cases, Sivagangai, to dispose the bail application of the petitioner on merits on the same day of his surrender in Special S.C.No.94 of 2018.

For Petitioner : Mr.S.Vijayakumar

For Respondents 1 & 2 : Mr.S.Chandra Sekar

Additional Public Prosecutor

ORDER

The petitioner is the accused No.6 in Crime No.294 of 2006 of Ilayankudi Police Station, Sivagangai District and the offences alleged against the accused are under Sections 147, 148, 341, 323, 324 and 506 (ii) of the Indian Penal Code read with Section 3(1)(X) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Amendment Act, 2015.

2.The present petition filed by the petitioner is to direct the learned Sessions Judge, Special Court for trial of cases under Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act, 1989, Sivagangai, to accept the surrender of the petitioner and also 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 / victim.

4.Since the prayer itself is to accept the surrender of the petitioner and to 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 trial of cases under Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act, 1989, Sivagangai, 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 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-I)

// 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 Deputy Superintendant of Police,
Sivagangai Sub Division,
Sivagangai.

2.The Inspector of Police,
Ilayankudi Police Station,
Sivagangai District.



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

Copy To
The Sessions Judge,
Special Court For Trial of Cases under
Schedule Caste and Schedule Tribes,
(Prevention Of Atrocities) Act, 1989)
Sivagangai.

+1 CC to Mr.S.VIJAYA KUMAR, Advocate (SR-4329[F] dated 10/02/2021.

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09.02.2021

(KUN)
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