



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.02.2021

CORAM :

THE HONOURABLE Mrs. JUSTICE **R.THARANI**

Crl.O.P.(MD)No.2084 of 2021

- 1.Jeyaprabhu @ Prabhu
2.Velmurugan
3.Packiyalakshmi @ Packiyam
4.Madasamy

... Petitioners/Accused 1 to 4

Vs.

- 1.The Deputy Superintendent of Police
Sankarankovil, Tenkasi District.

- 2.State rep. By
The Inspector of Police,
Thiruvengadam Police Station,
Tenkasi District.

(Crime No.27 of 2021)

- 3.Premkumar

...Respondents 1 & 2 /Complainants
...3rd Respondent/Defacto Complainant

- 4.Amsaraj

- 5.Sundarapandi

... 4th & 5th Respondents/Victims

Prayer : Criminal Original Petition filed under Section 482 of Cr.P.C direct the Principal District and Sessions Court /Special Court for SC/ ST Act, Tirunelveli, to accept the surrender of the petitioner along with bail application in Crime No.27 of 2021 on the file of the second respondent police herein and to dispose the bail application on the same day on merits.

For Petitioners

: Mr.A.R.Kannappan

For Respondents 1 & 2

: Mr.R.Erottuchamy
Government Advocate

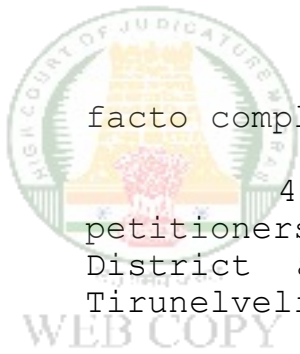
ORDER

The petitioners are the accused in Crime No.27 of 2021 of Musiri Police Station, Trichy District. The said case was registered against the accused under Sections 294(b), 323 of IPC and Section 3(1) (r), 3(1) (s), 3(2)(va) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act.

2.The present petition filed by the petitioners is to direct the Special Court for Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act, 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, takes notice for the respondents 1 and 2. The third respondent is the de-

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facto complainant and the respondents 4 and 5 are the victims.

4.Since the prayer itself is to accept the surrender of the petitioners and consider the bail application by the Principal District and Sessions Court /Special Court for SC/ ST Act, Tirunelveli, this Court is inclined to pass the following orders :-

(i)After giving notice to the concerned Public Prosecutor and the defacto complainant, the petitioner should appear before the Principal District and Sessions Court /Special Court for SC/ ST Act, Tirunelveli, within a period of 15 days from the date of receipt of a copy of this order / uploading of the order.

(ii) On such surrender, concerned Sessions Judge, may consider the bail application filed by the petitioner on merits, preferably on the same date.

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

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Ls

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 Principal District and Sessions Court /
Special Court for SC/ ST Act,
Tirunelveli.

2.The Deputy Superintendent of Police
Sankarankovil, Tenkasi District.

3.The Inspector of Police,
Thiruvengadam Police Station,
Tenkasi District.

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

+1 CC to M/s.A.R.KANNAPPAN, Advocate (SR-4743[F] dated 12/02/2021)

Crl.O.P. (MD)No.2084 of 2021
11.02.2021

(NA) CO
AP(18/02/2021) 3P 6C