



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.04.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGOVAN**

Crl.O.P.(MD)No.2980 of 2021

1. Nagarajan

2. Venkatesan

... Petitioners/Accused no 4 & Rank not known

Vs.

1. The Deputy Superintendent of Police,
Bodi Sub Division,
Theni District.

2. The State rep. by
The Sub Inspector of Police,
Bodi Taluk Police Station,
Theni District.

(Crime No.64 of 2021) ...Respondents/Respondents

3. Balamurugan ... Respondent/Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to pass an order permitting the petitioner to surrender and accept the Bail application filed by the petitioners before the Special Court (PCR) for SC & ST (POA) Act, Theni in connection with Crime No.64 of 2021 on the file of the 2nd Respondent Police and in the event of filing the same, the said application may be directed to be considered on the same day on merits and in accordance with law forthwith.

For Petitioners : Mr.K.Prakash

For Respondents 1 & 2 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

ORDER

The first petitioner is the 4th accused and the second petitioner Rank not known in Crime No.64 of 2021 of Bodi Taluk Police Station, Theni District and the offences alleged against the accused are under Sections 147, 148, 294(b), 324, 336, 363, 506(ii) of IPC and 3(1)(r), 3(1)(s), 3(2)(va) of SC / ST (Prevention of Atrocities) Amendment Act, 2015.

2.The present petition filed by the petitioners is to direct the learned Special Court (PCR) for SC and ST (POA) Act, Theni, to accept the surrender of the petitioners and also to consider the bail application on the same day.

3.Mr.K.Suyambulinga Bharathi, learned Government Advocate (Crl. Side) accepts notice for the respondents 1 and 2. The third respondent is the de-facto complainant.



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

1) The petitioner should appear before the learned Special Court (PCR) for SC and ST(POA) Act, Theni, 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 petitioners on merits on the same day of surrender, after giving notice to the concerned Public Prosecutor and by complying Section 15(5) of the Act.

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 Judge

Special Court(PCR) for SC/ST (POA) Act, Theni

2. The Deputy Superintendent of Police,
Bodi Sub Division, Theni District.

3. The Sub Inspector of Police,
Bodi Taluk Police Station, Theni District.

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

+1 CC to M/s.K.PRAKASH, Advocate (SR-15901[F] dated 15/04/2021)

Crl.O.P. (MD)No.2980 of 2021

15.04.2021

SSS(CO)

KB(29.04.2021) 2P 6C