



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.04.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGOAN**

Crl.O.P. (MD)No.3038 of 2021

Pasumpon

... Petitioner/Accused No.3

Vs.

1.The Deputy Superintendent of Police,
Manamadurai,
Sivagangai District.

2.The Inspector of Police,
Povanthi Police Station,
Sivagangai District.
(Crime No.28 of 2021)

... Respondents 1 & 2/Complainant

3.Kannan

... 3rd Respondent/Defacto
Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to accept the surrender of the petitioner before the learned Additional District and Sessions Court for the Exclusive Trial for PCR Cases, Sivagangai, in connection with the Crime No.28 of 2021 on the file of the second Respondent police and to consider the bail application filed by the petitioners on the same day.

For Petitioner : Mr.K.K.Samy

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

ORDER

The petitioner is the third accused in Crime No.28 of 2021 of Povanthi Police Station, Sivagangai District and the offences alleged against the accused are under Sections 341, 294(b), 323, 324 and 506 (ii) of IPC and Sections 3(1) (r) and 3(1) (s) of the Scheduled Castes and Scheduled Tribes Prevention of Atrocities Amendment Act, 2015.

2.The present petition filed by the petitioner is to accept the surrender of the petitioner before the learned Additional District and Sessions Court for the Exclusive Trial for PCR Cases, Sivagangai, in connection with the Crime No.28 of 2021 on the file of the second Respondent police and to consider the bail application filed by the petitioner 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. He would submit that the



injured was discharged from the hospital.

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 Additional District and Sessions Court for the Exclusive Trial for PCR Cases, 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, 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 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 Additional district and sessions Judge,
The Additional District and Sessions Court for the
Exclusive Trial for PCR Cases,
Sivagangai,
- 2.The Deputy Superintendent of Police,
Manamadurai,
Sivagangai District.
- 3.The Inspector of Police,
Povanthi Police Station,
Sivagangai District.



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

+1 CC to M/s.K.K.SAMY, Advocate (SR-15588[F] dated 09/04/2021)

Crl.O.P. (MD)No.3038 of 2021
08.04.2021

DKS (CO)
KB(19.04.2021) 3P 6C