



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.03.2021

CORAM :

WEB COPY

THE HONOURABLE Mrs. JUSTICE R. HEMALATHA

Crl.O.P.(MD)No.3142 of 2021

1.Poolan @ Poologapandi
2.Aathi Narayanan

...Petitioners/Accused No.4&5

/Vs./

1.The State represented by
The Deputy Superintendant of Police,
Srivaikundam,
Tuticorin District.

...1st Respondent/
Investigation Officer

2.The State represented by
The Inspector of Police,
Alawar Thiru Nagari Police Station,
Tuticorin District.
(Crime No.286 of 2020)

...2nd Respondent/Complainant

3.Shanmuga Balakrishnan

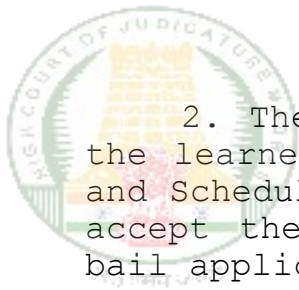
...3rd Respondent/
Defacto-complainant

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Sessions Judge, Special Court for the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, Thoothukudi, to consider the petitioners' bail application on the same day of their surrender in Crime No.286 of 2020 on the file of the second respondent police.

For Petitioners : Mr.M.S.Jeyakarthik
For Respondents 1 & 2 : Mr.R.Erottuchamy
Government Advocate (Criminal Side)

ORDER

The petitioners are the accused No.4 and 5 in Crime No.286 of 2020 of Alawar Thiru Nagari Police Station, Tuticorin and the offences alleged against the accused are under Sections 147, 148, 109, 294(b), 323, 324 and 506 (ii) of the Indian Penal Code and Sections 3(1)(r) and 3(1)(va) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Amendment Act, 2015.



2. The present petition filed by the petitioners is to direct the learned Sessions Judge, Special Court for the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, Thoothukudi, to accept the surrender of the petitioners and to also consider the bail applications on the same day.

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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.

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

1) The petitioners should appear before the learned Sessions Judge, Special Court for the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, Thoothukudi, 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 applications filed by the petitioners on merits, on the same day of their 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)

SM

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 the Schedule Caste and
Schedule Tribes (Prevention of Atrocities) Act,
Thoothukudi,

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



2. The Deputy Superintendant of Police,
Srivaikundam,
Tuticorin District.

3. The Inspector of Police,
Alawar Thiru Nagari Police Station,
Tuticorin District.

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

+1 CC to Mr.M.S.JEYAKARTHIK, Advocate (SR-7783[F] dated 01/03/2021)

**Order made in
Crl.O.P. (MD)No.3142 of 2021
01.03.2021**

NA (CO)

SRS (10/03/2021) 3P : 6C