



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.03.2021

CORAM :

THE HONOURABLE Mrs. JUSTICE R. HEMALATHA

Crl.O.P.(MD)No.3336 of 2021

1.Singadurai

2.Mahendra Boopathi

...Petitioners/Accused No.1&2

/Vs./

1.The Deputy Superintendent of Police,
Puliyangudi, Tirunelveli District.

2.The Inspector of Police,
Puliyangudi Police Station,
Tirunelveli District.
(Crime No.90 of 2021)

...Respondents 1&2/Complainant

3.Mari Muthu

...3rd Respondent/
De-facto complainant

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned II Additional District and Sessions Judge, (PCR Court), Tirunelveli, to consider the petitioners' bail application on the same day of their surrender in Crime No.90 of 2021 on the file of the second respondent police.

For Petitioners : Mr.M.Jothi Basu

For Respondents 1 & 2 : Mr.A.Robinson

Government Advocate (Criminal Side)

ORDER

The petitioners are the accused No.1 and 2 in Crime No.90 of 2021 of Puliyangudi Police Station, Tirunelveli and the offences alleged against the accused are under Sections 294(b), 323 and 506(i) of the Indian Penal Code and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

2.The present petition filed by the petitioners is to direct the learned II Additional District and Sessions Judge, (PCR Court), Tirunelveli, to accept the surrender of the petitioners and to also consider the bail applications on the same day.



3.The learned counsel for the petitioners submitted that he did not press the present petition, as far as the second petitioner is concerned, since he is a juvenile.

4.Considering the submission of the learned counsel for the petitioners that he is not pressing this petition as far as the second petitioner is concerned, since he is a juvenile, the present petition is dismissed as far as the second petitioner is concerned.

5.Mr.A.Robinson, learned Government Advocate (Criminal Side) accepts notice for the respondents 1 and 2. The third respondent is the de-facto complainant.

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

1) The first petitioner should appear before the learned II Additional District Judge (PCR Court), Tirunelveli, 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 Judge, may consider the bail application filed by the first petitioner on merits, on the same day of their surrender, after giving notice to the concerned Public Prosecutor.

7.With the above observation, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-III)

// 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 II Additional District Judge (PCR),
Tirunelveli.

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



2.The Deputy Superintendent of Police,
Puliangudi, Tirunelveli District.

3.The Inspector of Police,
Puliangudi Police Station,
Tirunelveli District.

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

+1 CC to M/s.G.M.LAW OFFICE (SR-8384[F] dated 03/03/2021)

**Order made in
Crl.O.P. (MD)No.3336 of 2021
03.03.2021**

NA(CO)
SRS (17/03/2021) 3P : 6C