



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :04.03.2021

CORAM :

THE HONOURABLE **Mrs. JUSTICE R. HEMALATHA**

Crl.O.P. (MD)No.3423 of 2021

- 1.Thangapandi
- 2.Appukutti @ Mathan
- 3.Poovarasan
- 4.Murugan
- 5.Manoj
6. (*)Chanthuru @ Boothathar

... Petitioners

Vs.

State rep., by its

- 1.The Deputy Superintendent of Police,
V.K.Pudur Taluk, Thenkasi District.

- 2.The Inspector of Police,
Surandai Police Station,
Thenkasi District.
(Crime No.103 of 2021)

- 3.Subbaiah

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the II Additional District and Sessions Judge cum Special Judge, PCR Court, Tirunelveli to consider the bail application of the petitioner on the same day of their surrender in Crime No.103 of 2021 on the file of the second respondent police.

For Petitioner : Mr.N.Anandakumar

For Respondents 1 & 2 : Mr.A.Robinson

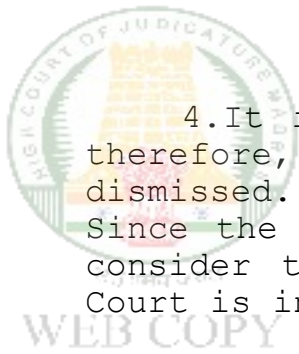
Government Advocate (Criminal side)

ORDER

The petitioners are the accused Nos.1 to 6 in Crime No.103 of 2021 of Surandai Police Station, Thenkasi and the offences alleged against the accused are under Sections 147, 341, 294(b), 427 and 506 (ii) of the Indian Penal Code and Sections 3(1)(r) and 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2015.

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

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



4.It is represented that the fifth petitioner is arrested and therefore, the petition as against the fifth respondent is dismissed. As regards the petitioners 1 to 4 and 6 are concerned, Since the prayer itself is to accept the surrender of them and to consider the bail application on the same day of surrender, this Court is inclined to pass the following orders :-

- 1) The petitioners should appear before the learned II Additional District Judge (PCR Act cases), 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 II Additional District 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)

**(*) Amended as per order of this Court
dated 29.03.2021.**

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

(*) to be substituted the order already despatched on 12.03.2021

1.The II Additional District Judge, PCR Court, Tirunelveli.

2.The Deputy Superintendent of Police,
V.K.Pudur Taluk, Thenkasi District.



3.The Inspector of Police,
Surandai Police Station, Thankasi District.

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

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04.03.2021

AC (CO)
KB (11.03.2021) 3P 5C
TR (17.04.2021) 3P 5C