



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.03.2021

CORAM :

WEB COPY

THE HONOURABLE Mrs. JUSTICE R. HEMALATHA

Crl.O.P.(MD)No.3560 of 2021

B.Nanthakumar

...Petitioner/Accused No.1

Vs.

1.The Deputy Superintendent of Police,
Rajapalayam,
Virudhunagar District.

2.The Inspector of Police,
Rajapalayam South Police Station,
Virudhunagar District.
Crime No.681 of 2020

...Respondents 1&2/
Complainants

3.Sakthivel

...3rd Respondent/Victim/
Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the Special Court for Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act Cases, Virudhunagar District at Srivilliputtur, to consider the bail application of the petitioner on the same day of his surrender in Crime No.681 of 2020 on the file of the second respondent police.

For Petitioner : Mr.C.Veerasingam

For Respondents 1 & 2 : Mr.R.Erottuchamy

Government Advocate (Criminal side)

ORDER

The petitioner is the accused 1 in Crime No.681 of 2020 of Rajapalayam South Police Station, Virudhunagar District, and the offences alleged against the accused are under Sections 147, 294(b), 341, 427 and 323 of the Indian Penal Code and Sections 3(1)(s) and 3(2)(va) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

2.The present petition filed by the petitioner is to direct the Special Court for Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act Cases, Virudhunagar District at

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



Srivilliputtur, to accept the surrender of the petitioner and also to consider the bail application on the same day.

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 /victim.

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 Special Court for Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act Cases, Virudhunagar District at Srivilliputtur, 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 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.

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

Sd/-

Assistant Registrar (Cs-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RM

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 Special Court for Scheduled Caste and Scheduled Tribe
(Prevention of Atrocities) Act Cases,
Virudhunagar District at Srivilliputtur.

2.The Deputy Superintendent of Police,
Rajapalayam, Virudhunagar District.

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



3.The Inspector of Police,
Rajapalayam South Police Station,
Virudhunagar District.

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

+1 CC to Mr.C.VEERASINGAM, Advocate (SR-9739[F] dated 09/03/2021)

**Order made in
Crl.O.P. (MD)No.3560 of 2021
08.03.2021**

TP(CO)

SRS (22/03/2021) 3P : 6C