



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **16.03.2021**

CORAM :

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

Crl.O.P.(MD)No.3984 of 2021

Sivashanmugasundaram

...Petitioner/Accused No 2
/Vs./

1.The Assistant Commissioner of Police,
Law and Order,
Tirunelveli Town, Tirunelveli City.

2.The State represented by
The Inspector of Police,
Tirunelveli Town Police Station,
Tirunelveli City.
(Crime No.82 of 2021)

3.M.Amalraj

...Respondents

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 Act Cases), Tirunelveli, to consider the petitioner's bail application on the same day of his surrender in Crime No.82 of 2021 on the file of the second respondent police.

For Petitioner : Mr.R.J.Karthick

For Respondents 1 & 2 : Mr.A.Robinson

Government Advocate (Criminal Side)

ORDER

The petitioner is the accused No.2 in Crime No.82 of 2021 of Tirunelveli Town Police Station, Tirunelveli and the offences alleged against the accused are under Sections 294(b), 324, 307 and 506 (ii) 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) Act, 1989.

2. The present petition filed by the petitioner is to direct the learned II Additional District and Sessions Judge (PCR Act Cases), Tirunelveli, to accept the surrender of the petitioner and to also consider the bail application 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. Since the prayer itself is to accept the surrender of the petitioner and to consider the bail application on the same day of surrender, this Court is inclined to pass the following orders :-



1) The petitioner 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 Sessions Judge, may consider the bail application filed by the petitioner on merits, on the same day of his 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)

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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.

2.The Assistant Commissioner of Police, Law and Order,
Tirunelveli Town, Tirunelveli City.

3.The Inspector of Police,
Tirunelveli Town, Tirunelveli City.

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

+1 CC to M/s.R.J.KARTHICK, Advocate (SR-11935[F] dated 17/03/2021)

Crl.O.P.(MD)No.3984 of 2021

16.03.2021

PM(CO)

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