



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.03.2021

CORAM :

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

Crl.O.P.(MD)Nos.4027 of 2021

1.Periay Udaiyar
2. Krishnakumar ... Petitioners/Accused No.1 & 2

Vs.

1. The Deputy Superintendent of Police,
Sankarankovil,
Tenkasi District.
2. The Sub Inspector of Police,
Chinnakovilankulam Police Station,
Thenkasi District. ... Respondents/Complainant
3. Marimuthu ... Respondent/Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Principal District and Sessions Judge (Special Judge for Scheduled Caste & Scheduled Tribes (Prevention of Atrocities) Act Cases), Tirunelveli, to consider the petitioners' bail application on the same day of their surrender in Crime No.63 of 2021 on the file of the second respondent police.

For Petitioners : Mr.C.Prabakaran
For Respondent : Mr. A.Robinson
Government Advocate
(Criminal Side)

ORDER

The petitioners are the accused No.1 and 2 in Crime No.63 of 2021 of Chinnakovilankulam Police Station, Tenkasi District and the offences alleged against the accused are under Sections 294(b) 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) Act, 2015.

2. The present petition filed by the petitioners is to direct the learned 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. 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 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(CRL SIDE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmk

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 Deputy Superintendent of Police,
Sankarankovil,
Tenkasi District.



3. The Sub Inspector of Police,
Chinnakovilankulam Police Station,
Thenkasi District.

WEB COPY

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

+1 CC to M/s.C.PRABAKRAN, Advocate (SR-12193[F] dated 18/03/2021)

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NS (CO)
TR(29.03.2021) 3P 6C