



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **23.03.2021**

CORAM :

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

Crl.O.P.(MD)No.4405 of 2021

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...Petitioner/A-1

/Vs./

1.The Deputy Superintendent of Police,
Bodinaikanur,
Theni.

2.The Inspector of Police,
Chinnamanur Police Station,
Theni District.

(Crime No.109 of 2021) ...Respondents/Complainants

3.Sankar Ganesh ...Defacto Complainant/2nd Respondent

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Special Court for Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act 2015, Theni, to consider the petitioner's bail application on the same day of his surrender in Crime No.109 of 2021 on the file of the second respondent police.

For Petitioner : Mr.A.Joseph Jerry
For Respondents 1 & 2 : Mr.A.Robinson
Government Advocate
(Criminal side)

ORDER

The petitioner is the accused No.1 in Crime No.109 of 2021 of Chinnamanur Police Station, Theni and the offences alleged against the accused are under Sections 147, 148, 294(b), 323, 324, 506(i) 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) Amendment Act, 2015.

2. The present petition filed by the petitioner is to direct the learned Sessions Judge (Special Court for Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, Theni, to accept the surrender of the petitioner 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 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 Sessions Judge (Special Court for Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, Theni, 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 applications 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 (CRL)

// 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

1.The Sessions Judge,
(Special Court for Scheduled Caste and Scheduled Tribes
(Prevention of Atrocities) Act),
Theni.

2.The Deputy Superintendent of Police,
Bodinaikanur,
Theni.

3.The Inspector of Police,
Chinnamanur Police Station,
Theni District.



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

+1 CC to M/s.A.JOSEPH JERRY, Advocate (SR-13554[F] dated 25/03/2021
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