



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.03.2021

CORAM :

THE HONOURABLE Mrs. JUSTICE R. HEMALATHA

Crl.O.P. (MD)No.4556 of 2021

1.S.Ramalingam
2.Muthu

...Petitioners/Accused No 1 & 2
/Vs./

1.The State rep., by its
The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Manamadurai, Sivagangai District.

2.The Inspector of Police,
Thirupachethy Police Station,
Sivagangai District.
(In Crime No.60 of 2021) ... Respondent No 1& 2/Complainant

3.Muthaiah ...3rd Respondent/Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Sessions Judge (Special Court for Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act Cases), Sivagangai, to consider the petitioners' bail application on the same day of their surrender in Crime No.60 of 2021 on the file of the second respondent police.

For Petitioners : Mr.D.S.Haroon Rasheed
For Respondents 1 & 2 : Mr.A.Robinson
Government Advocate (Criminal side)

ORDER

The petitioners are the accused No.1 and 2 in Crime No.60 of 2021 of Thirupachethy Police Station, Sivagangai District and the offences alleged against the accused are under Sections 294(b), 323 and 506 (i) of the Indian Penal Code and Sections 3(1)(r) and 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

2. The present petition filed by the petitioners is to direct the learned Sessions Judge (Special Court for Scheduled Caste and Scheduled Tribes (Prevention of Atrocities Act Cases), Sivagangai, 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
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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 Sessions Judge (Special Court for Scheduled Caste and Scheduled Tribes (Prevention of Atrocities Act Cases), Sivagangai, 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 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 ()

// 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 District Sessions Judge,
(Special Court for Scheduled Caste and
Scheduled Tribes (Prevention of Atrocities) Act Cases),
Sivagangai.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Manamadurai, Sivagangai District.
- 3.The Inspector of Police,
Thirupachethy Police Station, Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P.(MD)No.4556 of 2021
25.03.2021

SSS (CO)

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