



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.04.2021

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.5207 of 2021

1. Magendran
2. Amachar

... Petitioners

Vs.

1. The Assistant Commissioner of Police,
Palayamkottai Sub-Division,
Palayamkottai, Tirunelveli City.
(Crime No.96 of 2021)
2. The Inspector of Police,
Perumalpuram Police Station,
Palayamkottai, Tirunelveli City.
(Crime No.96 of 2021)

3. Vanitha

4. Easwaran

... Respondents

Prayer :- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned 2nd Additional Sessions Judge for SC/ST (Prevention of Atrocities) Act, PCR Court, Tirunelveli to consider the bail application of the petitioners on the same day of their surrender in crime No.96 of 2021 on the file of the 1st and 2nd respondents police.

For Petitioner : Mr. N.Pragalathan

For Respondents 1 & 2 : Mr. K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

ORDER

The petitioners Accused Rank not known in Crime No.96 of 2021 of Palayamkottai Sub-Division, Palayamkottai, Tirunelveli City and the offences alleged against the accused are under Sections 294(b), 323, 427, 506(i) of IPC, Section 4 of the Tamilnadu Prohibition of Harassment of Women Act and Section 3(1)(r), 3(1)(s), 3(2) (va) of the Schedule Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

2. The present petition filed by the petitioner is to direct the learned 2nd Additional Sessions Judge for SC/ST (Prevention of Atrocities) Act, PCR Court, Tirunelveli, to accept the surrender of the petitioner and also to consider the bail application on the same day.



3. Mr. K.Suyambulinga Bharathi, learned Government Advocate (Crl. 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 consider the bail application, this Court is inclined to pass the following orders :-

1) The petitioners should appear before the learned 2nd Additional Sessions Judge for SC/ST (Prevention of Atrocities) Act, PCR Court, 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, concerned Sessions 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 and by complying Section 15(5) of the Act.

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

Sd/-

ASSISTANT REGISTRAR(CS-I)

/TRUE COPY/

/ /2021

SUB ASSISTANT REGISTRAR(CS-)

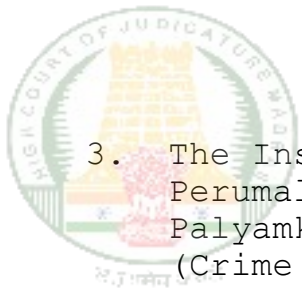
Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The 2nd Additional Sessions Judge for SC/ST (Prevention of Atrocities) Act, PCR Court, Tirunelveli,

2. The Assistant Commissioner of Police, Palayamkottai Sub-Division, Palayamkottai, Tirunelveli City.

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



3. The Inspector of Police,
Perumalpuram Police Station,
Palyamkottai, Tirunelveli City.
(Crime No.96 of 2021)

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

+1 CC to M/s. N.PRAGALATHAN, Advocate (SR-15591[F] dated 09/04/2021)

SMV (CO)

SMN : 11/05/2021 : 3P/6C.

Crl.O.P. (MD)No.5207 of 2021
09.04.2021