



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.04.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGO VAN**

Crl.O.P.(MD)No.5495 of 2021

Mohamed Najeer @ Naseer
(Wrongly mentioned in FIR as
Naseer instead of Mohamed Najeer)

... Petitioner/Accused No.1

Vs.

1.State represented through the
Deputy Superintendent of Police,
Ottanchathiram Sub Division,
Dindigul District.

2.The Inspector of Police,
Sempatti Police Station,
Dindigul District.
(Crime No.172 of 2021)

... 1st & 2nd Respondents/
Complainant

3.Vetrilvel

... 3rd Respondent/
Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Special Judge for Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act cases/Additional District and Sessions Judge(PCR Unit), Dindigul District to consider the bail application of the petitioner on the same day of surrender in Crime No.172 of 2021 on the file of the second respondent police station.

For Petitioner : Mr.R.Karunanidhi
For Respondents 1 & 2 : Mr.K.Suyambulinga Bharathi
Government Advocate (crl.side)

ORDER

The petitioner is the first accused in Crime No.172 of 2021 of Sempatti Police Station, Dindigul District and the offences alleged against the accused are under Sections 147, 148, 294(b), 341, 324, 506(2) of I.P.C., r/w Section 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 Special Judge for Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act cases/Additional District and Sessions Judge(PCR Unit), Dindigul District, 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 petitioner and consider the bail application, this Court is inclined to pass the following orders :-

- 1) The petitioner should appear before the learned Special Judge for Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act cases/Additional District and Sessions Judge (PCR Unit), Dindigul District, 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, after complying with Section 15(5) of the Act.

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

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cp

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 Special Judge for Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act cases/
Additional District and Sessions Judge(PCR Unit),
Dindigul District.
- 2.The Deputy Superintendent of Police,
Ottanchathiram Sub Division,
Dindigul District.
- 3.The Inspector of Police,
Sempatti Police Station,
Dindigul District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P. (MD)No.5495 of 2021
19.04.2021

es (CO)

TR(06.05.2021) 3P 5C