



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.04.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGOVAN**

Crl.O.P.(MD)No.5780 of 2021

1.Balu @ Palraj

2.Malaisamy @ Duraiselvam ... Petitioners/Accused No.1 & 4

Vs.

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

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

(Crime No.174/2021). ... Respondents/Complainant

3.T.Govindan

4.Sundar ... Respondent/Defacto Complainant/Victim

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the Additional District and Session Judge, Theni (PCR Act Cases) to consider the bail application on their surrender on the same day, if any petition filed by the petitioners in Crime No.174 of 2021 on the file of the second respondent.

For Petitioners : Mr.C.Susi Kumar

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

ORDER

The petitioners are the accused Nos.1 and 4 in Crime No.174 of 2021 of Allinagaram Police Station, Theni District and the offences alleged against the accused are under Sections 147, 148, 294(b), 323 and 324 of I.P.C., and Sections 3(1)(r), 3(1)(s), 3(2)(va) 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 Additional District and Session Judge, Theni (PCR Act



Cases), to accept the surrender of the petitioners 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 and fourth respondents are 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 Additional District and Session Judge, Theni (PCR Act Cases), 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 petitioners on merits on the same day of surrender, after giving notice to the concerned Public Prosecutor, by complying of the 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

WEB COPY

- 1.The Additional District and Session Judge,
Theni (PCR Act Cases).
- 2.The Deputy Superintendent of Police,
Theni, Theni District.
- 3.The Inspector of Police,
Allinagaram Police Station,
Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P. (MD)No.5780 of 2021
22.04.2021

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TR(06.05.2021) 3P 5C