



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGOVA**

Crl.O.P. (MD)No.5871 of 2021

1. B.Riyaz @ Mohamed Riyaz
2. Ashik @ Mohamed Ashik
3. Yasar @ Jahir Huesan
4. Mujif @ Mugeeprahuman

... Petitioners

Vs.

1. The Deputy Superintendent of Police,
Ottanchathram,
Dindigul District.

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

3. S.Vetrivel

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Principal District and Sessions Judge cum PCR Court, Dindigul to consider the petitioners' bail application on the same day of their surrender in Crime No.172 of 2021 on the file of the 2nd respondent.

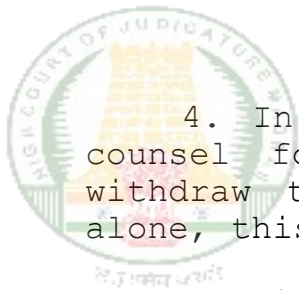
For Petitioners : Mr.C.M.Arumugam
For Respondents 1 & 2 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

ORDER

The petitioners are the accused Nos.2,7,8 & 9 in Crime No.172 of 2021 of Ottanchathram Police Station, Dindigul District and the offences alleged against the accused are under Sections 147, 148, 294(b), 341,324, 506(2) of IPC and Section 3(1)(r), 3(1)(s) and 3(2)(Va) of the Schedule Caste and the Schedule Tribes (Prevention of Atrocities Amendment Act, 2015).

2.The present petition filed by the petitioners is to direct the learned Principal District and Sessions Judge cum PCR Court, Dindigul, 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 respondent is the de-facto complainant.



4. In so far as the 4th petitioner is concerned, the learned counsel for the petitioner seeks permission of this Court to withdraw this case. Therefore, in respect of the 4th petitioner alone, this Criminal Original Petition is dismissed as withdrawn.

5. Since the prayer itself is to accept the surrender of the petitioners 1 to 3 and consider the bail application, this Court is inclined to pass the following orders :-

1) The petitioners 1 to 3 should appear before the learned Principal District and Sessions Judge cum PCR Court, Dindigul, 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 1 to 3 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.

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

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

kmm

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 Principal District and Sessions Judge, Dindigul.
2. The Deputy Superintendent of Police,
Ottanchathram,
Dindigul District.
3. The Inspector of Police,
Sempatti Police Station,
Dindigul District.



+ CC to M/s.C.M.ARUMUGAM, Advocate (SR-17862[F] dated 28/04/2021)

+1 CC to M/s.C.M.ARUMUGAM, Advocate (SR-18222[F] dated 30/04/2021)

Crl.O.P. (MD) No.5871 of 2021
28.04.2021

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