



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.04.2021

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

Crl.O.P. (MD)No.5827 of 2021

1. Vairasamy

2. Mariselvam

3. (*) Palsamy ,

S/o. Madasamy,

(This name has been wrongly mentioned as

palanisami in the First

Information report)

... Petitioners/Accused No 1 to 3

Vs.

1. State represented by its

The Deputy Superintendent of Police,

Alankulam,

Thenkasi District.

... Respondent/Complainant

2. The Inspector of Police,

Surandai Police Station,

Thenkasi District.

(In Crime No.169 of 2021)

3. Madathi

... Respondent/Defacto Complainant

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the II Additional District and Sessions Judge Cum Special Judge, P.C.R. Court, Thirunelveli to consider the bail application of the Petitioners on the same day of their surrender before that court in connection with Crime No.169 of 2021 on the file of the Respondent.

For Petitioners

: Mr.V.Selva

For Respondents

: Mr.K.Suyambulinga Bharathi

Government Advocate (Crl.Side)

for R1 & R2.

ORDER

The petitioners are the accused 1 to 3 in Crime No.169 of 2021 of Surandai Police Station, Tenkasi District and the offences



alleged against the accused are under Sections 294(b), 324, 506(ii) of I.P.C and 3(1) (r), 3(1) (s) and 3(2) (va) of SC & ST (Prevention of Atrocities) Amendment Act, 2015.

2.The present petition filed by the petitioners is to direct the learned II Additional District and Sessions Judge Cum Special Judge, P.C.R. Court, Thirunelveli, 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. 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 petitioner should appear before the learned II Additional District and Sessions Judge Cum Special Judge P.C.R Court, Thirunelveli, 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 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)

(*)Amended vide Court order dated 14/09/2021 in

Crl.MP(MD) 7012/2021 in Crl.OP(MD) 5827/21

(*)The time for surrender and executing the sureties is extended by fifteen days from the date of receipt of a copy of this order.

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.

WEB COPY

To

(*) to be substituted to the order already Despatched on 26/05/2021

1. The II Additional Director and Session Judge cum
Special Judge, P.C.R Court,
Tirunelveli.
2. The Deputy Superintendent of Police,
State of Tamil Nadu,
Alankulam,
Thenkasi District.
3. The Inspector of Police,
Surandai Police Station,
Thenkasi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.U.SELVA, Advocate (SR-17668[F] dated 27/04/2021)

Crl.O.P. (MD)No.5827 of 2021

23.4.2021

AS (26.05.2021) 3P 6C

RD (24.09.2021) 3P 6C