



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.04.2021

CORAM :

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

Crl.O.P. (MD)No.6224 of 2021

S.Prakash Raj @ Prakash

... Petitioner/Accused no 2

Vs.

1. The State rep by

The Deputy Superintendent of Police,
O/o. the Deputy Superintendent of Police,
Madurai District.
(Crime No.275 of 2021)

2. The Inspector of Police,
Avaniyapuram Police Station,
Madurai District.

(Crime No.275 of 2021)

... Respondents/Complainant

3. Mr.M.Muthu

... Respondent/Defacto Complainant

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the 3rd Additional Mahila Court (Special Court for Scheduled Casters and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Madurai to accept the surrender of the Petitioner/Accused No.4 and consider the Petitioner's bail application and grant bail on the date of surrender itself in Crime No.275 of 2021 dated 25.03.2021 on the file of Respondent No.2 Police.

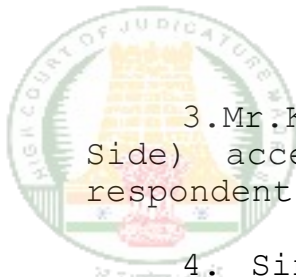
For Petitioner : Mr.K.Dinesh

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

ORDER

The petitioner is the 2nd accused in Crime No.275 of 2021 of Avaniyapuram Police Station, Madurai District and the offences alleged against the accused are under Sections 147, 148, 294(b), 324, 506(2), 307 of IPC and Section 3(1) (r), 3(1) (s) and 3(2) (vs) of SC / ST (POA) Act, 1989.

2.The present petition is filed by the petitioner is to direct the learned 3rd Additional Mahila Court (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) act 1989, Madurai, 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 3rd Additional Mahila Court (Special Court for scheduled castes and Scheduled Tribes (Prevention of Atrocities) Act 1989, Madurai, 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 directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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.III Additional Mahila Court,
(Special Court for scheduled castes and Scheduled Tribes
(Prevention of Atrocities), Madurai.

2. The Deputy Superintendent of Police,
O/o. the Deputy Superintendent of Police,
State of Tamil Nadu,
Madurai District.



3. The Inspector of Police,
Avaniyapuram Police Station,
Madurai District.

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

Crl.O.P. (MD) No. 6224 of 2021
30.04.2021

KMM(CO)
KB(13.05.2021) 3P 5C