



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.05.2021

CORAM :

**THE HONOURABLE Mrs. JUSTICE S.ANANTHI**

Crl.O.P. (MD)No.6465 of 2021

M.Esakkimuthu

... Petitioners/A-2

**Vs.**

1. State by

The Assistant Commissioner of Police,  
O/o. The Assistant Commissioner of Police,  
Palayamkottai,  
Tirunelveli City.

... 1<sup>st</sup> Respondent/Respondent

2. The Inspector of Police,  
Perumalpuram Police Station,  
Tirunelveli City.  
(Crime No.96 of 2021)

... 2<sup>nd</sup> Respondent/Complainant

3. S.Vanitha

... 3<sup>rd</sup> Respondent/  
Defacto Complainant

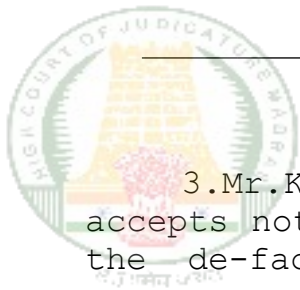
**Prayer :** Criminal Original Petition filed under Section 482 Cr.P.C., to direct the learned II Additional District and Sessions cum PCR. Court, Tirunelveli under SC/ST Act to consider the bail application with sureties at the time of surrender of the petitioner in connection with Crime No.96 of 2021 dated 31.03.2021 is pending investigation on the file of the second respondent police.

For Petitioners : Mr.S.Saravanan  
For R1 & R2 : Mr.K.K.Ramakrishnan,  
Additional Public Prosecutor

**ORDER**

The petitioner is the second accused in Crime No.96 of 2021 on the file of the second respondent for the offences punishable under Sections 294(b), 323, 427, 506(i) IPC and Section 4 TNPHW r/w 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 petitioner is to direct the learned II Additional District and Sessions cum PCR. Court, Tirunelveli under SC/ST Act to accept the surrender of the petitioner and also to consider the bail application on the same day.



3.Mr.K.K.Ramakrishnan, learned Additional Public Prosecutor 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 II Additional District and Sessions cum PCR. Court, Tirunelveli under SC/ST Act, 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 along with notice served to the defacto complainant, concerned Judge, may consider the bail application filed by the petitioner on merits on the same day of surrender, after hearing the defacto complainant by complying with Section 15(5) of the Act.

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

Sd/-  
Assistant Registrar (AD-II)

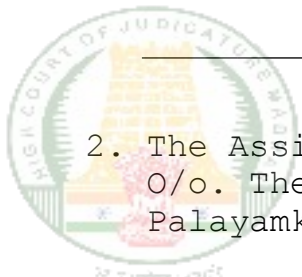
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/ /2021  
Sub Assistant Registrar(CS-)

**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.

**To**

1. The II Additional District and Sessions Judge cum PCR. Court, Tirunelveli.



2. The Assistant Commissioner of Police,  
O/o. The Assistant Commissioner of Police,  
Palayamkottai, Tirunelveli City.
3. The Inspector of Police,  
Perumalpuram Police Station,  
Tirunelveli City.
4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

Crl.O.P. (MD)No.6465 of 2021  
05.05.2021

GNS/SSB

TE : 02/06/2021 : 3P/5C