



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.05.2021

CORAM :

THE HONOURABLE Mrs.JUSTICE S.ANANTHI

Crl.O.P. (MD)No.6482 of 2021

S.Sanjay

...Petitioner/Accused No.1

Vs.

The State rep. by

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

2.The Sub-Inspector of Police,
Devathanampatti Police Station,
Theni District.
(Crime No.170 of 2021)

...Respondents/Complainants

3.P.Alaguraja

...3rd Respondent/
Defacto complainant

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C., to direct the learned Special District & Sessions Court for Trial of cases under SC/ST (POA) Act, Theni to accept the surrender of the petitioner and consider their bail application on the same day in Crime No.170 of 2021 on the file of the second respondent police.

For Petitioners: Mr.N.Marimuthu

For R1 & R2 : Mr.A.Robinson,

Government Advocate (Criminal side)

ORDER

The petitioner is the accused No.1 in Crime No.170 of 2021 on the file of the second respondent for the offences punishable under Sections 147, 148, 294(b), 341, 323, 324, 506(ii) of IPC r/w Section 3(1)(r) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 and Section 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 Special District & Sessions Court for Trial of cases under SC/ST (POA) Act, Theni, to accept the surrender of the petitioner and also to consider the bail application on the same day.



3.Mr.A.Robinson, learned Government Advocate (Criminal side) accepts notice for the respondents 1 and 2. The third respondent is the de-facto complainant and he is still in hospital as inpatient.

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 Special District & Sessions Judge for Trial of cases under SC/ST (POA) Act, Theni, 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 and by complying with Section 15(5) of the Act.

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

Sd/-
Assistant Registrar/
Vacation Officer

//True copy//

/ /2021
Sub Assistant Registrar

CP/IAS

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 Special District & Sessions Judge
for Trial of cases under SC/ST (POA) Act,
Theni.

2.The Deputy Superintendent of Police,
Periyakulam,

<https://hcservices.ecourts.gov.in/hcservices>.



3.The Sub-Inspector of Police,
Devathanampatti Police Station,
Theni District.

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

+1 CC to Mr.N.MARIMUTHU, Advocate (SR-18500[F] dated 07/05/2021)

Order made in
Crl.O.P. (MD)No.6482 of 2021
06.05.2021

KUN (CO)
SRS/02.06.2021/3P/6C