



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.05.2021

CORAM :

THE HONOURABLE Mr. JUSTICE A.A.NAKKIRAN

WEB COPY

Crl.O.P. (MD)No.6669 of 2021

Anandh

...Petitioner

Vs.

State rep. by

1.The Deputy Superintendent of Police,
Manamadurai Sub Division, Sivagangai District.

2.The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.

(In Crime No.172 of 2021)

3.M.Kongeshwaran

4.Mari

5.Amirthavalli

...Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the Special Judge for the Exclusive Trial of SC / ST(POA) Act,1989 cases, Sivagangai, Sivagangai District, to consider the bail application of the petitioner to be filed in Crime No.172/2021 on the file of the second respondent police and to accept his surrender on the same day on merits.

For Petitioner

:Mr.R.Balamuruganantham

For R1 & R2

:Mr.R.Srinivasan

Government Advocate (criminal side)

ORDER

This Criminal Original Petition has been filed praying for a direction to the learned Special Judge for the Exclusive Trial of SC/ST(POA) Act,1989 cases, Sivagangai, Sivagangai District, to accept the surrender of the petitioner and also to consider the bail application and pass orders on merits on the same day.

2.The petitioner is the first accused in Crime No.172 of 2021 on the file of the second respondent for the offences punishable under Sections 147, 341, 294(b), 323, 506(i) IPC and Section 3(1)(r), 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act.

3.Mr.R.Srinivasan, learned Government Advocate (criminal side) accepts notice for the respondents 1 and 2.

4.Considering the facts and circumstances of the case, this



Court is inclined to pass the following orders :-

1)The petitioner shall appear before the learned Special Judge for the Exclusive Trial of SC / ST (POA) Act,1989 cases, Sivagangai, Sivagangai District, 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, the concerned Judge shall consider the bail application filed by the petitioner and pass orders on merits on the same day of his surrender, after hearing the defacto complainant by complying with Section 15-A of the Act.

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

Sd/-

Vacation Officer

// 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.

To:

- 1.The Special Judge for the Exclusive Trial of SC/ST(POA) Act,1989 cases, Sivagangai, Sivagangai District.
- 2.The Deputy Superintendent of Police, Manamadurai Sub Division, Sivagangai District.
- 3.The Inspector of Police, Manamadurai Police Station, Sivagangai District.
- 4.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

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