



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.05.2021

CORAM :

THE HONOURABLE Mr. JUSTICE A.A.NAKKIRAN

Cr1.O.P. (MD)No.6715 of 2021

Selvam

... Petitioner

Vs.

1.The State represented by its
The Deputy Superintendent of Police,
Office of the Superintendent of Police,
Pudukottai Division, Pudukottai District.

2.The Inspector of Police,
Vellanur Police Station,
Pudukottai District
Cr.No. 116/2021.

... Respondents/Complainants 1&2

3. Ayyappan

4. Rani

5. Thangaraj

... Respondents

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C., to direct the Learned Sessions Judge, Special Court for Exclusive trial of Cases u/s SC/ST (POA) Act, 1989, Pudukottai, to consider the bail application of the petitioner on the same day of his surrender itself in Crime No. 116/2021 on the file of the second respondent police.

For Petitioner : Mr.A.Vadivel

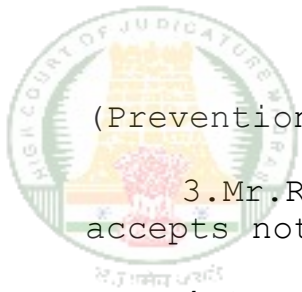
For R1 & R2 : Mr.R.Srinivasan

Government Advocate (criminal side)

ORDER

This Criminal Original Petition has been filed praying for a direction to the learned Sessions Judge, Special Court for Exclusive trial of Cases, U/s. SC/ST (POA) Act, 1989, Pudukottai, 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 third accused in Crime No.116 of 2021 on the file of the second respondent for the offences punishable under Sections 294(b), 324 and 506(ii) of IPC r/w. Sections 3(1)(r), 3(1)(s), and 3(2)(va) of the Scheduled Castes and Scheduled Tribes



(Prevention of Atrocities) 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 Sessions Judge, Special Court for Exclusive trial of Cases, U/s. SC/ST (POA) Act, 1989, Pudukottai, 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 Sessions Judge,
Special Court for Exclusive trial of Cases,
U/s. SC/ST (POA) Act, 1989,
Pudukottai.

2. The Deputy Superintendent of Police,
Office of the Superintendent of Police,
Pudukottai Division, Pudukottai District.

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



3.The Inspector of Police,
Vellanur Police Station,
Pudukottai District

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

+1 CC to M/s.M/S A.VADIVEL, Advocate (SR-18565[F] dated
17/05/2021)

Crl.O.P. (MD) No. 6715 of 2021
12.05.2021

AS (25.05.2021) 3P 6C