



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **26.05.2021**

CORAM :

WEB COPY

THE HONOURABLE **Mr. JUSTICE K.MURALI SHANKAR**

Crl.O.P.(MD)No.7018 of 2021

Syedmohamed

...Petitioner

/Vs./

The State represented by

1.The Deputy Superintendant of Police,
Uthamapalayam Sub Division,
Theni District.

2.The Inspector of Police,
Cumbum North Police Station,
Theni District.

(Crime No.176 of 2021)

3.Veeramani

4.Satheeskumar

...Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the Special Court for SC/ST (Prevention of Atrocities) Act, Theni to accept the surrender of the petitioner in connection with Crime No.176 of 2021 on the file of the second respondent police and to consider the petitioner's bail application on the same day.

For Petitioner : Mr.R.Shankar Ganesh

For Respondents 1 & 2 : Mr.S.Ravi

Additional Public Prosecutor

ORDER

The petitioner is the accused in Crime No.176 of 2021 of Cumbum North Police Station, Theni and the offences alleged against the accused are under Sections 294(b), 324, and 506 (ii) of the Indian Penal Code and Sections 3(1)(r) and 3(1)(s) 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 Special Court for SC/ST (Prevention of Atrocities) Act, Theni, to accept the surrender of the petitioner and to also consider the bail application on the same day.



3. Mr.S.Ravi, learned Additional Public Prosecutor, who accepts notice for the respondents 1 and 2, submits that the third respondent is the defacto complainant and the fourth respondent is the victim.

4. Since the prayer itself is to accept the surrender of the petitioner and to consider the bail application on the same day of surrender, this Court is inclined to pass the following orders :-

1) The petitioner should appear before the learned Judicial Magistrate, Special Court for SC/ST (Prevention of Atrocities) Act, Theni, within a period of one month, from the date of resumption of regular work in subordinate Courts in view of the present pandemic situation.

2) On such surrender, the concerned Judge, may consider the bail application filed by the petitioner on merits, on the same day of his surrender, after giving notice to the concerned Public Prosecutor and by complying with the Section 15(A)(5) of the said Act.

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

Sd/-

Assistant Registrar (Vacation Officer)

// 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.The Judicial Magistrate,
Special Court for SC/ST (Prevention of Atrocities) Act,
Theni.
- 2.The Deputy Superintendant of Police,
Uthamapalayam Sub Division,
Theni District.
- 3.The Inspector of Police,
Cumbum North Police Station,
Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.7018 of 2021
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