



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.06.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE AA.NAKKIRAN**

Crl.O.P. (MD)No.7268 of 2021

1.Selvamani alias Jebin
2.Venkadesh @ Venkadesan

... Petitioners

Vs.

1.The Deputy Superintendant of Police,
Valliyoor Sub-Division,
Valliyoor, Tirunelveli District.
(Crime No.132 of 2021)

2.The Inspector of Police,
Radhapuram Police Station,
Radhapuram,
Tirunelveli District.

3.Muthukumar

... Respondents

Prayer : Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the learned 2nd Additional Sessions Judge for SC/ST (Prevention of Atrocities)Act, PCR Court, Tirunelveli to consider the bail application of the petitioners on the same day of their surrender in crime No.132 of 2021 on the file of the first and second respondents police.

For Petitioners : Mr.N.Pragalathan

For R1 & R2 : Mr.M.Muthumanikkam,
Government Advocate(Crl.side)

ORDER

This criminal original petition has been filed praying for a direction to the learned 2nd Additional Sessions Judge for SC/ST (Prevention of Atrocities)Act, PCR Court, Tirunelveli, to accept the surrender of the petitioners and also to consider the bail application and pass orders on the same day.

2.The petitioners are the accused Nos.3 & 4 in Crime No.132 of 2021 of Radhapuram Police Station, Radhapuram, Tirunelveli District and the offences alleged against the accused are under Sections 147, 148, 341, 294(b), 323, 355, 506(ii) IPC and Sections 3(1)(r), 3(1)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.



3.Mr.M.Muthumanikkam, learned Government Advocate (CrI.side) accepts notice for the respondents 1 and 2. The third respondent is the de-facto complainant.

4.Considering the facts and circumstances of the case, this Court is inclined to pass the following orders:-

1)The petitioners shall appear before the learned 2nd Additional Sessions Judge for SC/ST (Prevention of Atrocities)Act, PCR Court, Tirunelveli, within a period of one month from the date of resumption of regular work in Subordinate Courts, due to the prevailing COVID-19 situation.

2)On such surrender along with notice served to the defacto complainant, the concerned Sessions Judge, shall consider the bail application filed by the petitioners on merits on the same day of surrender, after hearing the defacto complainant by complying of the Section 15(5) of the Act.

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

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

gns

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

1.2nd Additional Sessions Judge for SC/ST (Prevention of Atrocities)Act, PCR Court, Tirunelveli.

2.The Deputy Superintendant of Police,
Valliyoor Sub-Division,
Valliyoor, Tirunelveli District.

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



3.The Inspector of Police,
Radhapuram Police Station,
Radhapuram,
Tirunelveli District.

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

+1 CC to M/s.N.PRAGALATHAN, Advocate (SR-18755[F] dated
04/06/2021)

CrI.O.P. (MD)No.7268 of 2021

04.06.2021

KK(21.06.2021) 3P 6C