



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.06.2021

CORAM :

WEB COPY

THE HONOURABLE **Mr. JUSTICE A.A.NAKKIRAN**

Crl.O.P. (MD)No.7273 of 2021

Prabakaran

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Pattukottai Sub Division
Thanjavur District.

2.The Inspector of Police,
Madukkur Police Station,
Thanjavur District
Cr No.160/2021.

3. Balamurugan

4. Sivabakiyam

5. Balakrishnan,

... Respondents

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C., to accept the surrender of the petitioner before the Special Court for SC/ST (Prevention of Atrocities) Act, i.e. 1st Additional District and Sessions Judge, at Thanjavur, in connection with the Crime No.160 of 2021 on the file of the second respondent and to consider the bail application filed by the petitioner on the same day.

For Petitioner : Mr.K.M.Karunakaran

For R1 & R2 : Mr.M.Muthumanikkam

Government Advocate (criminal side)

ORDER

This Criminal Original Petition has been filed praying for a direction to accept the surrender of the petitioner before the Special Court for SC/ST (Prevention of Atrocities) Act, i.e., I Additional District and Sessions Judge, Thanjavur, in connection with the Crime No.160 of 2021 on the file of the second respondent and to consider the bail application filed by the petitioner on the same.



2.The petitioner is the first accused in Crime No.160 of 2021 on the file of the second respondent for the offences punishable under Sections 294(b), 427, 352 & 506(ii) I.P.C r/w Section 4 of the Prohibition of Harassment of Women Act, 2002 and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

3.Mr.M.Muthumanikkam, 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 Special Court for SC/ST (Prevention of Atrocities) Act, (1st Additional District and Sessions Judge), Thanjavur, within a period of one month, from the date of resumption of regular work in subordinate Courts.

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/-

Assistant Registrar(Writs)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

msa

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 SC/ST (Prevention of Atrocities) Act,
(1st Additional District and Sessions Judge),
Thanjavur,
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Pattukottai Sub Division
Thanjavur District.
- 3.The Inspector of Police,
Madukkur Police Station,
Thanjavur District
Cr No.160/2021.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.7273 of 2021
04.06.2021

sj (CO)
TR(11.06.2021) 3P 5C