



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 24.06.2021

CORAM:

THE HON'BLE MR JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.8032 of 2021

1.Rajendran
2.Kani

... Petitioners/Accused Nos.2 & 3

Vs.

1.The Deputy Superintendent of Police,
Usilampatti Range,
Checkanurani Police Station.
(Crime No.260 of 2021)

2.The Inspector of Police,
Checkanurani Police Station,
(Crime No.260 of 2021)

... Respondents1 & 2 /Complainants

3.Saranya

... 3rd Respondent/Defacto
Complainant

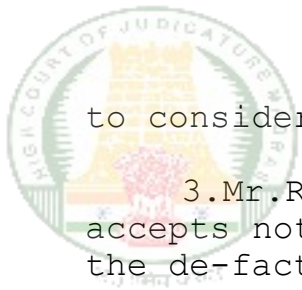
Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the learned III Additional District and Sessions Judge (PCR Act Cases) Madurai, to consider the Bail application of the petitioners/Accused relating to the case in Cr.No.260 of 2021 on the file of the second respondent and pass orders on the same day on their surrender if any petition filed by the petitioners.

For Petitioners : Mr.S.G.L.Rishwanth
For R1 & R2 : Mr.R.M.Anbu Nithi,
Additional Public Prosecutor.

ORDER

The petitioners are the second and third accused in Crime No.260 of 2021 of Checkanurani Police Station, Madurai District and the offences alleged against the accused are under Sections 417, 376, 294 (b), 506 (ii) of IPC and Sections 3(1) (w) (ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act.

2.The present petition filed by the petitioners is to direct the learned III Additional District and Sessions Judge (PCR Act Cases) Madurai, to accept the surrender of the petitioners and also



to consider the bail application on the same day.

3.Mr.R.M.Anbu Nithi, learned Additional Public Prosecutor accepts notice for the respondents 1 and 2. The third respondent is the de-facto complainant.

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4. Heard both sides.

5. A reading of the First Information Report shows that the allegation that has been made against the first accused by the defacto complainant is that he had sexual intercourse with her. Due to which, she became pregnant. Later, he refused to marry her. When this fact was informed to the parents of the first accused namely, the petitioners herein. They abused her in filthy language by calling her with her caste and threatened her with dire consequences and also compelled to leave from the place.

6.Since the main allegation of rape has been made against the first accused and the prayer itself is to accept the surrender of the petitioners and consider the bail application, this Court is inclined to pass the following orders :-

1) The petitioner should appear before the learned III Additional District and Sessions Judge (PCR Act Cases) Madurai, 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, concerned Sessions Judge, may consider the bail application filed by the petitioners on merits on the same day of surrender, after giving notice to the concerned Public Prosecutor and by complying Section 15(5) of the Act.

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

Sd/-

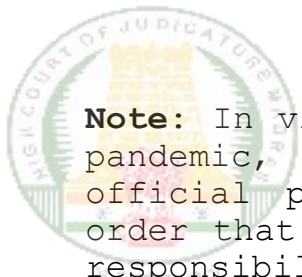
Assistant Registrar (CSIII)

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/ /2021

Sub Assistant Registrar(CS)

dss



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.

WEB COPY

To

1. The learned III Additional District and Sessions Judge (PCR Act Cases)
Madurai.
 2. The Deputy Superintendent of Police,
Usilampatti Range,
Checkanurani Police Station.
 3. The Inspector of Police,
Checkanurani Police Station,
Madurai District.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- +1 CC to M/s.S.G.L.RISWANTH, Advocate (SR-20224[F] dated 25/06/2021)

Crl.O.P. (MD)No.8032 of 2021
24.06.2021

KB(01.07.2021) 3P 6C