



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.06.2021

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGOVAN

Crl.O.P.(MD)No.8092 of 2021
(Through Video Conference)

S. Balamurugan ... Petitioner /sole accused
Vs.

1.The Deputy Superintendent of Police,
Cheranmahadevi,
Tirunelveli District.

2.State rep. by
The Inspector of Police,
Pathamada Police Station,
Tirunelveli District
Crime No.192/2021 ... Respondents 1 & 2 / Complainants

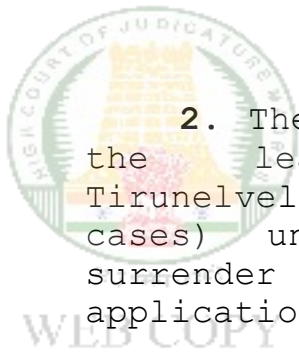
3.N.Venkatesh ... R3 / Defacto complainant

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the learned II Additional District and Sessions Judge, Tirunelveli (PCR Court Special Court for Exclusively Trial of cases under SC/ST (Prevention of atrocities) Act to consider the bail petition of the petitioner on the same day of his surrender in connection with Crime No.192 of 2021 on the file of the second respondent police.

For Petitioner	: Mr.C.Saravanakumar
For RR 1 & 2	: Mr.R.M.Anbunithi, Additional Public Prosecutor (Criminal side)

O R D E R

The petitioner is the Sole Accused in Crime No.192 of 2021 on the file of Pathamada Police Station, Tirunelveli City and the offences alleged against the accused are under Sections 294(b), 323, 506(i) of IPC and Section 3(1)(r), 3(1)(s) of the Schedule Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.



2. The present petition filed by the petitioner is to direct the learned II Additional District and Sessions Judge, Tirunelveli (PCR Court/ Special Court for Exclusively Trial of cases) under SC/ST (Prevention of Atrocities) Act to accept the surrender of the petitioner and also to consider the bail application on the same day.

3. Mr.R.M.Anbunithi, learned Additional Public Prosecutor (Crl. Side) accepts notice for the respondents 1 and 2. The third respondent is the de-facto complainant.

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

- 1) The petitioner should appear before the learned II Additional District and Sessions Judge, Tirunelveli (PCR Court/ Special Court for Exclusively Trial of cases) under SC/ST (Prevention of Atrocities) Act within a period of 15 days, from the date of resumption of regular work in subordinate Courts; and
- 2) On such surrender, concerned Sessions Judge, may consider the bail application filed by the petitioner 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.

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

Sd/-

Assistant Registrar (W)

// 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 II Additional District and Session Judge,
Tirunelveli (PCR COURT/Special Court For
Exclusively trial of cases under SC/St
(Prevention of Atrocities) Act.
- 2.The Deputy Superintendent of Police,
Cheranmahadevi,
Tirunelveli District.
- 3.The Inspector of Police,
Pathamadai Police Station,
Tirunelveli District
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

**Order made in
Crl.O.P. (MD)No.8092 of 2021
Dated:
21.06.2021**

AS (05.07.2021) 3P 5C