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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.06.2021

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGOVAN

Crl.O.P.(MD)No.8289 of 2021

P.Suresh @ Sureshkumar ... Petitioner/Accused No.2

Vs.

1.State Rep. by
The Deputy Superintendent of Police,
Devakottai, Sivagangai District.

2.The Inspector of Police,
Thiruvegampet Police Station,
Sivagangai District.
(Crime No.149 of 2021). ... Respondents/
Complainant

3.Sathasivam ... 3rd Respondent/
Defacto complainant

4.Sankar

5.Ganesan ... Respondents 4 & 5/
Victims

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the Additional District and Sessions Court for the Exclusive Trial of PCR Act Cases, Sivagangai to consider the bail application of the petitioner on the same date of his surrender in Crime No.149 of 2021 on the file of the second respondent police.

For Petitioner : Mr.S.Sathyachidambaram
For Respondents 1 & 2 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

The petitioner is the second accused in Crime No.149 of 2021 on the file of Thiruvegampet Police Station, Sivagangai District and the offences alleged against the accused are under Sections 147, 294(b), 323, 325 of I.P.C r/w 3(1)(r), 3(1)(s), 3(2)(va) of the Schedule Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

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2. The present petition filed by the petitioner is to direct the learned Additional District and Sessions Judge for the Exclusive Trial of PCR Act Cases, Sivagangai, 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 and the respondents 4 and 5 are the victims.

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 Additional District and Sessions Court for the Exclusive Trial of PCR Act Cases, Sivagangai, 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 (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cp

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.

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To

1.The Additional District and Sessions Court for the
Exclusive Trial of PCR Act Cases,
Sivagangai.

2.The Deputy Superintendent of Police,
Devakottai, Sivagangai District.

3.The Inspector of Police,
Thiruvegampet Police Station,
Sivagangai District.

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

Crl.O.P.(MD)No.8289 of 2021
24.06.2021

KM(01.07.2021) 3P 5C

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