



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P. (MD)No.8813 of 2021

WEB COPY

1.Ukkirapandi

2.Kali

3.Mayazhagu

4.Muthuramalingam ... Petitioners/A1 to A4

Vs.

1. The Deputy Commissioner of Police,
Tiruchuli
Virudhunagar District.

2. The State rep. by
The Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District
(In Crime No.94 of 2021) ..1st and 2nd Respondents/Complainants

3.Senthilkumar ... 3rd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to pass an order permitting the petitioners to surrender and accept the bail application filed by the petitioners before the learned Sessions Judge, Special Court for SC/ST (POA) Act, Virudhunagar at Srivilliputtur in Crime No.94 of 2021 on the file of the first respondent police and in the event of filing the same, the said application may be directed to be considered on the same day on merits and in accordance with law forthwith.

For Petitioners	: Mr.M.Karunanithi
For R-1 and R-2	: Mr.R.M.Anbunithi
	Additional Public Prosecutor

O R D E R

This petition has been filed to direct the Session Judge, Special Court for SC/ST (POA) Act, Virudhunagar at Srivilliputtur to accept the surrender of the petitioners and consider the bail applications on the date of surrender in connection with Crime No.94 of 2021 on the file of the first respondent Police.



2. The petitioners are the accused 1 to 4 in Crime No.94 of 2021 on the file of the first respondent for the offences punishable under Sections 147, 148, 294(b), 323, 324 & 506(ii) of I.P.C, Section 4 of Tamilnadu Prohibition of Harassment of Women Act, 2002 and r/w 3(i)(r), 3(i)(s) and 3(2)(v) of SC/ST (Prevention of Atrocities) Amendment Act, 2015.

3. Mr.R.M.Anbunithi, learned Additional Public Prosecutor accepts notice for the respondents 1 and 2. The learned Additional Public Prosecutor submits that totally there are 6 accused in this case. The petitioners are arrayed as A1 to A4. The first petitioner is involved in 10 previous cases, the second petitioner is involved in 7 previous cases and the fourth petitioner is involved in 3 previous cases.

4. Considering the bad antecedents of the petitioners 1, 2 and 4 this Court is not inclined to issue a direction to them.

5. Considering the facts and circumstances of the case, this Court is inclined to pass the following orders in respect of the third petitioner alone:-

1)The third petitioner shall appear before the Special Court for the Exclusive Trial of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act Cases, Virudhunagar at Srivilliputtur within a period of 15 days from the date of receipt of a copy of this order.

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

6. With the above observation, this Criminal Original Petition is allowed in respect of the third petitioner alone. In respect of the first, second and fourth petitioners, this petition is dismissed.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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 Sessions Judge,
Special Court for SC/ST (POA) Act,
Virudhunagar at Srivilliputtur
2. The Deputy Commissioner of Police,
Tiruchuli
Virudhunagar District.
3. The Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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RC (16.07.2021) 3P-5C