



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.8626 of 2021

K.Mohana Udaiyar @

Bose Marumagan

... Petitioner/Accused No.5

Vs.

1. The State rep. by

The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Madurai District.
(Crime No.275/2021)

2. The Inspector of Police,
Avaniyapuram Police Station,
Madurai District.
(Crime No.275/2021)

... 1st and 2nd Respondents/
Complainants

3.M.Muthu

... 3rd Respondent/
Defacto Complainant

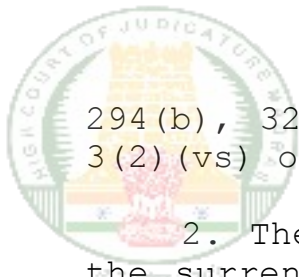
PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the III Additional District Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Madurai to accept the surrender of the petitioner/Accused No.5 and consider the petitioner's bail application and grant bail on the date of surrender itself in Crime No.275 of 2021 dated 25.03.2021 on the file of the respondent No.2 Police.

For Petitioner : Mr.R.Maruthi

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

O R D E R

The petitioner is the 5th Accused in Crime No.275 of 2021 on the file of Avaniyapuram Police Station, Madurai District and the offences alleged against the accused are under Sections 147, 148,



294(b), 324, 506(2), 307 of IPC and Sections 3(1)(r), 3(1)(s) and 3(2)(vs) of SC/ST (POA) Act, 1989.

2. The present petition filed by the petitioner is to accept the surrender of the petitioner before the learned III Additional District Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act), 1989, Madurai, in connection with the Crime No. 275 of 2021 on the file of the second Respondent police and to consider the bail application filed by the petitioner 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. He would submit that the injured was discharged from the hospital.

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 III Additional District Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act), 1989, Madurai, within a period of 15 days, from the date of receipt of a copy of this order; and
- 2) On such surrender, the Court concerned, 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/-

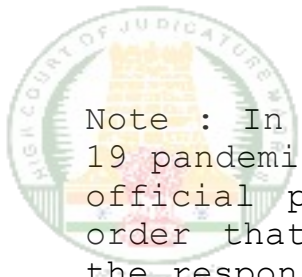
Assistant Registrar (CS-I)

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/ /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.

WEB COPY

To

1. The III Additional District Judge
(Special Court for Scheduled
Castes and Scheduled Tribes
(Prevention of Atrocities) Act, 1989,
Madurai.
2. The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Madurai District.
3. The Inspector of Police,
Avaniyapuram Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD) No.8626 of 2021
01.07.2021

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