



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08/07/2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P. (MD)No.8959 of 2021

WEB COPY

Chitra @ Chitra Devi ... Petitioner/A1
Vs.

1.State represented. by
The Deputy Superintendent of Police,
Kovilpatti,
Thoothukudi District.

2. The Inspector of Police,
Kovilpatti West Police Station,
Thoothukudi District.

(Crime No. 635 of 2021)

... Respondents 1 and 2/Complainants

3.Subbaiah

... 3rd Respondent/Defacto complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Sessions Judge, Special Court for trial of cases under SC/ST (POA) Act, Thoothukudi to consider the petitioner's bail application on the date of surrender in Crime No.635 of 2021 on the file of the second respondent herein for alleged offence for the alleged offences under Section 109, 294(b), 324, 506(ii) IPC and Sections 3(1)(r), 3(1)(s), 3(2)(va) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

For Petitioner

: Mr.S.Ramasamy

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 learned Sessions Judge, Special Court for trial of cases under SC/ST (POA) Act, Thoothukudi, to accept the surrender of the petitioner and consider the bail applications on the date of surrender in connection with Crime No.635 of 2021 on the file of the second respondent Police.

2. The petitioner is the accused NO.1 in Crime No.635 of 2021 on the file of the second respondent for the offences punishable under Sections 109, 294(b), 324, 506(ii) I.P.C and Sections 3(1)(r), 3(1)(s) & 3(2)(va) of Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

3. Mr.R.M.Anbunithi, learned Additional Public Prosecutor accepts notice for the respondents 1 and 2. He submits that no previous case is pending against the petitioner and injured has



already been discharged from the hospital.

4. Considering the facts and circumstances of the case, this Court is inclined to pass the following orders :-

1)The petitioner shall appear before the learned Sessions Judge, Special Court for trial of cases under SC/ST (POA) Act, Thoothukudi, 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 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.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

CM

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 cases),
Thoothukudi.

2.The Deputy Superintendent of Police,
Kovilpatti,Thoothukudi District.

3. The Inspector of Police,
Kovilpatti West Police Station,
Thoothukudi District.

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

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