



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.07.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGOAN**

Crl.O.P.(MD)No.9207 of 2021

Kanagaraj

... Petitioner/Accused No.2

Vs.

1.State Represented through

The Deputy Superintendent of Police,
Kovilpatti Sub Division,
Kovilpatti,
Thoothukudi District.

2.The Inspector of Police,

Kovilpatti West Police Station,
Thoothukudi District.

(Crime No.635 of 2021).

...Respondents 1 & 2/Complainants

3.Subbaiah

...Respondent No.3/

Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Judge, PCR Court, Thoothukudi District to consider the bail application of the petitioner on the same day of surrender in Crime No.635 of 2021, on the file of the second respondent police.

For Petitioner : Mr.M.Prabu

For R1 & R2 : Mr.R.M.Anbunithi,
Additional Public Prosecutor

ORDER

The petitioner is the second accused in Crime No.635 of 2021 of Kovilpatti West Police Station, Thoothukudi District and the offences alleged against the accused are under Sections 109, 294(b), 324 & 506(ii) IPC r/w Sections 3(1) (r), 3(1) (s) and 3(2) (va) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

2.The present petition filed by the petitioner is to direct the learned learned Judge, PCR Court, Thoothukudi District 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 accepts notice for the respondents 1 and 2 and would submit that the injured discharged from the Hospital and no previous case is pending against the petitioner. 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 and also considering the submission of the learned Additional Public Prosecutor (Crl.side), this Court is inclined to pass the following orders :-

1) The petitioner should appear before the learned Judge, PCR Court, Thoothukudi within a period of 15 days from the date of receipt of a copy of this order / uploading of the order.

2) On such surrender, concerned 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 complying with Section 15 (5) of the Act.

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

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vrn

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 PCR Court, Thoothukudi District.

2.The Deputy Superintendent of Police,
Kovilpatti Sub Division,
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.

Crl.O.P. (MD)No.9207 of 2021
13.07.2021

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