



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20/07/2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN
Crl.O.P. (MD)No.9644 of 2021

WEB COPY

Lenin

... Petitioner/Accused
(Rank not known)

vs.

1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Illupur Sub Division,
Pudukottai District.

2.The Inspector of Police,
Karaiyur Police Station,
Pudukottai District
(Crime No.149 of 2021)

..Respondents 1 & 2/
Complainants

3.Vinoth

... 3rd Respondent/
Defacto complainant/Victim

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to accept the surrender of the petitioner before the Special Court for S.C/S.T (Prevention of Atrocities) Act i.e.I Additional District and Sessions Judge at Pudukottai, in connection with the Crime No.149 of 2021, on the file of the second respondent police and to consider the bail application filed by the petitioner on the same day.

For Petitioner : M/s.A.B.Banumathy
For R-1 and R-2 : Mr.R.M.Anbunidhi
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the learned I Additional District and Sessions Judge at Pudukottai/Special Court for S.C/S.T (Prevention of Atrocities) Act, to dispose the bail application filed by the petitioner on merits on the same day of his surrender before the above mentioned Court in pending investigation of Crime No.149 of 2021, on the file of the second respondent.

2. The petitioner is one of the accused in Crime No.149 of 2021, on the file of the second respondent for the offences



punishable under Sections 147,148, 294(b), 324, 342, 506(ii) IPC and altered into under Section 147, 148, 294(b), 342, 324, 506(ii) & 307 IPC r/w 3(2) (va) of SC/ST Act.

3. Mr.R.M.Anbunithi, learned Additional Public Prosecutor who accepts notice for the respondents 1 and 2 would submit that no previous case is pending against the petitioner and the injured was also discharged from the Hospital on 19.07.2021.

4. Considering the facts and circumstances of the case and also taking into consideration the submission of the learned Additional Public Prosecutor, this Court is inclined **to allow the petition** as per the following conditions:-

1)The petitioner shall appear before the learned I Additional District and Sessions Judge at Pudukottai/Special Court for S.C/S.T (Prevention of Atrocities) Act 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 their surrender, after hearing the defacto complainant by complying with Section 15(5) of the Act.

5. Accordingly, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (W)

// 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 I Additional District and Sessions Judge/
Special Court for S.C/S.T (Prevention of Atrocities) Act,
Pudukottai
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Illupur Sub Division,
Pudukottai District.
- 3.The Inspector of Police,
Karaiyur Police Station,
Pudukottai District
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.9644 of 2021

20.07.2021

SE (CO)

LR (09.08.2021) 3P 5C