



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED: 15/07/2021

WEB COPY

CORAM:  
THE HONOURABLE MR.JUSTICE G.ILANGO VAN  
Crl.O.P. (MD)No.9383 of 2021

Anwar @ Anwar Sathath ... Petitioner/1<sup>st</sup> Accused

Vs.

1.The Deputy Superintendent of Police,  
Office of the Deputy Superintendent of Police,  
Papanasam Sub Division,  
Thanjavur District.

2.The Inspector of Police,  
Ayyampettai Police Station,  
Thanjavur District.  
(Crime No.862 of 2021)

... Respondents 1 & 2/  
Complainant

3.Chinnarasu

... 3<sup>rd</sup> Respondent/  
Defacto complainant

4.Prasanth

5.Sridhar

... 4<sup>th</sup> and 5<sup>th</sup> Respondents / Victim

**PRAYER :** Criminal Original Petition is filed under Section 482 of Cr.P.C, directing to accept the surrender of the petitioner before the Special Court for S.C/S.T (Prevention of Atrocities) Act / I Additional District and Sessions Judge, Thanjavur to consider the petitioner's bail application on the same day of his surrender in Crime No.862 of 2021, on the file of the second respondent police.

For Petitioner : Mr.K.M.Karunakaran

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 Special Court for S.C/S.T (Prevention of Atrocities) Act / I Additional District and Sessions Judge, Thanjavur to consider the petitioner's bail application on the same day of his surrender in Crime No.862 of 2021, on the file of the second respondent.

2. The petitioner is the first accused in Crime No.862 of 2021, on the file of the second respondent for the offences punishable under Sections 294(b), 324 I.P.C and Section 3(1)(r) , 3(1)(s) & 3(2)(va) of SC/ST (POA) Act 1989.



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.

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 Special Court for S.C/S.T (Prevention of Atrocities) Act / I Additional District and Sessions Judge, Thanjavur 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. Accordingly, this Criminal Original Petition is allowed.  
Sd/-

Assistant Registrar (CSII)

// 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 Special Court for S.C/S.T (Prevention of Atrocities) Act /  
The I Additional District and Sessions Judge, Thanjavur

2.The Deputy Superintendent of Police,  
Office of the Deputy Superintendent of Police,  
Papanasam Sub Division,  
Thanjavur District.

<https://hcservices.hcscs.gov.in/hcservices>



3.The Inspector of Police,  
Ayyampettai Police Station,  
Thanjavur District.

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

Crl.O.P. (MD)No.9383 of 2021  
15.07.2021

CM(CO)  
KB(28.07.2021) 3P 5C