



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.07.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

Crl.O.P. (MD)No.9778 of 2021

Vinothkumar

... Petitioner/A1

Vs.

1.State rep. by
The Deputy Superintendent of Police,
luppur,
Pudukkottai District.

2.The Inspector of Police,
Karaiyur Police Station,
Pudukkottai District
(Crime No.149 of 2021) ... 1st and 2nd Respondents/Complainants

3.Vinoth ... 3rd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Special Judge for SC/ST (Prevention of Atrocities), Act, (PCR Court), Pudukkottai District to consider the bail application of the petitioner on the same day of his surrender in connection with Crime No.149 of 2021 on the file of the second respondent Police.

For Petitioner	: Mr.S.Sathyachidambaram
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 Special Judge for SC/ST (Prevention of Atrocities), Act, (PCR Court), Pudukkottai District to accept the surrender of the petitioner and consider the bail application on the date of surrender in connection with Crime No.149 of 2021 on the file of the second respondent Police.

2. The petitioner is arrayed as the first accused in Crime No.149 of 2021 on the file of the second respondent for the offences punishable under Sections 147, 149, 294(b), 324, 307, 506(ii) of I.P.C r/w Section 3(2)(va) of the Scheduled Castes and 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.



4. Earlier application has been dismissed since the injured has not been discharged from the hospital, now the Additional Public Prosecutor would submit that injured has been discharged from the hospital and the petitioner has not involved in any previous case.

5. 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 Special Judge for SC/ST (Prevention of Atrocities), Act, (PCR Court), Pudukkottai District, 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.

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

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ssb

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 Judge for SC/ST (Prevention of Atrocities), Act, (PCR Court),
Pudukkottai District

2.The Deputy Superintendent of Police,
luppur,
Pudukkottai District.



3.The Inspector of Police,
Karaiyur Police Station,
Pudukkottai District

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

Crl.O.P. (MD)No.9778 of 2021
22.07.2021

CM(CO)
KB(29.07.2021) 3P 5C