



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.07.2021

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGOVAN

Crl.O.P. (MD)No.9783 of 2021

Mathimannan

... Petitioner/Sole Accused

Vs.

1.State rep through
The Deputy Superintendent of Police,
Devakottai,
Sivagangai District.

2.The Inspector of Police,
Velayuthapattinam Police Station,
Sivagangai District
(Crime No.59 of 2020) ... 1st and 2nd Respondents/Complainants

3.Kumaran ... 3rd Respondent/Defacto Complainant
PRAYER : Criminal Original Petition is filed under Section 482 of Criminal Procedure Code to direct the learned Special Court (PCR Cases), Sivagangai to accept the surrender of the petitioner and dispose of the bail application filed by petitioner on the same day in connection with Crime No.59 of 2020 on the file of the second respondent Police.

For Petitioner	: Mr.A.Arputharaj
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 Court (PCR Cases), Sivagangai to accept the surrender of the petitioner and consider the bail application on the date of surrender in connection with Crime No.59 of 2020 on the file of the second respondent Police.

2. The petitioner is arrayed as the sole accused in Crime No.59 of 2020 on the file of the second respondent for the offences punishable under Sections 294(b) and 506(ii) of I.P.C r/w Sections 3 (1)(r) and 3(1)(s) 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. He would submit that none sustained injury in this case and the petitioner has not involved in any previous case.



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 Special Court (PCR Cases), Sivagangai 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 (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 Court (PCR Cases),
Sivagangai

2.The Deputy Superintendent of Police,
Devokottai,
Sivagangai District.

3.The Inspector of Police,
Velayuthapattinam Police Station,
Sivagangai District



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

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MGJ(10.08.2021) 3P 5C