



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.07.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOAN**
CrI.O.P.(MD)No.9702 of 2021

WEB COPY

Sivasami

... Petitioner/A1

Vs.

1.The Deputy Superintendent of Police,
Kottaipattinam,
Pudukkottai District.

2.The Inspector of Police,
Manamelkudi Police Station,
Pudukkottai District
(Crime No.427 of 2021)

... 1st and 2nd Respondents/
Complainants

3.Marimuthu

... 3rd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Sessions Judge, Special Court for exclusive trial of SC/ST (POA) Act Cases, Pudukkottai to accept the surrender of the petitioner and consider the bail application on the very same day on merits in connection with Crime No.427 of 2021 on the file of the second respondent Police.

For Petitioner : Mr.R.Prasanna

For R-1 and R-2 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This petition has been filed to direct the learned Sessions Judge, Special Court for exclusive trial of SC/ST (POA) Act Cases, Pudukkottai to accept the surrender of the petitioner and consider the bail application on the date of surrender in connection with Crime No.427 of 2021 on the file of the second respondent Police.

2. The petitioner is arrayed as the first accused in Crime No.427 of 2021 on the file of the second respondent for the offences punishable under Sections 294(b), 323, 355 of I.P.C r/w Section 3(1)(r), 3(1)(s) and 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. He would submit that the



injured has been discharged from the hospital 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 :-

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1)The petitioner shall appear before the learned Sessions Judge, Special Court for exclusive trial of SC/ST (POA) Act Cases, Pudukkottai, 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 (CS-II)

// 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 Sessions Judge,
Special Court for exclusive trial of SC/ST (POA) Act Cases,
Pudukkottai.

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



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

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

Crl.O.P. (MD)No.9702 of 2021

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RK (09.08.2021) 3P 5C