



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.10377 of 2021

WEB COPY

Duraisingam ... Petitioner/Sole Accused
Vs.

1.The Deputy Superintendent of Police,
Sivagangai District,Sivagangai.

2.State rep by
The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.
(Crime No.408 of 2021)

... Respondents 1 & 2/ Complainants

3.Lakshmi ... 3rd Respondent/
Defacto complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Principal District and Sessions Court/Special Court for SC/ST Act, Sivagangai District to accept the surrender of the petitioner along with bail application in Cr.No.408 of 2021, on the file of the second respondent police and to dispose of the bail application on the same day on merits.

For Petitioner : Mr.G.Karuppasamy Pandiyan
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 Judge, Principal District and Sessions Court/Special Court for SC/ST Act, Sivagangai District to consider the petitioner's bail application on the same day of his surrender in Crime No.408 of 2021, on the file of the second respondent.

2. The petitioner is the accused in Crime No.408 of 2021, on the file of the second respondent for the offences punishable under Sections 294(b), 506(1) I.P.C and Section 4 Tamil Nadu Prohibition of Harassment of Women Act, 2002 and Sections 3(2)(va) of SC/ST (POA) Amendment Act 2015.

3. Mr.R.M.Anbunithi, learned Additional Public Prosecutor, who accepts notice for the respondents 1 and 2 would submit that no injury was sustained by any person.

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 Judge, Principal District and Sessions Court/Special Court for SC/ST Act, Sivagangai 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.

5. Accordingly, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (CRL)

// 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.Principal District and Sessions Court/Special Court for SC/ST Act, Sivagangai District
- 2.The Deputy Superintendent of Police, Sivagangai District, Sivagangai.
- 3.The Inspector of Police, Sivagangai Town Police Station, Sivagangai District. (Crime No.408 of 2021)
- 4.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

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RD(9.08.2021) 2P 5C

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