



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.08.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGOVA**

Crl.O.P.(MD)No.10568 of 2021

WEB COPY

1.Prasanth
2.Manikandan
3.Moorthy @ Nachiyappan ... Petitioners/Accused
Nos.1 to 3

Vs.

1.The Deputy Superintendent of Police,
Karaikudi,
Sivagangai District. ...Respondent/Investigating
Officer
2.The Inspector of Police,
Kundrakudi Police Station,
Sivagangai District.
(Crime No.121/2021) ...Respondent / Complainant
3.Karthikraj ...Respondent/Defacto
Complainant / Victim

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Sessions Judge and Special Court for P.C.R, Sivagangai to accept the surrender of the petitioner in connection with the Crime No.121/2021, pending investigation on the file of the second respondent police and to consider and pass orders in the bail application on the same day .

For Petitioners : Mr.V.Kannan

For R1 & R2 : Mr.R.M.Anbunithi,

Additional Public Prosecutor

ORDER

The petitioners are the accused 1 to 3 in Crime No.121 of 2021, Kundrakudi Police Station, Sivagangai District and the offences alleged against the accused are under Sections 341, 294 (b), 323, 324 & 506(ii) IPC and under Sections 3(i)(r) & 3(i)(s) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2.The present petition filed by the petitioners is to direct the learned Sessions Judge/ Special Court for P.C.R Act cases, Sivagangai to accept the surrender of the petitioners and also to consider the bail applications on the same day.



3.Mr.R.M.Anbunithi, learned Additional Public Prosecutor accepts notice for the respondents 1 and 2 and would submit that injured was discharged from the Hospital and no previous case is pending against the petitioners. The third respondent is the de-facto complainant.

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4.Since the prayer itself is to accept the surrender of the petitioners and consider the bail application and also considering the submission of the learned Additional Public Prosecutor, this Court is inclined to pass the following orders :-

1) The petitioners should appear before the learned Sessions Judge/ Special Court for P.C.R Act cases, Sivagangai within a period of 15 days from the date of receipt of a copy of this order / uploading of the order.

2) On such surrender, concerned Judge, may consider the bail application filed by the petitioners on merits on the same day of surrender, after giving notice to the concerned Public Prosecutor and complying with Section 15 (5) of the Act.

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

Sd/-

Assistant Registrar

// 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 Sessions Judge/ Special Court for P.C.R Act cases, Sivagangai

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



3.The Inspector of Police,
Kundrakudi Police Station,
Sivagangai District.
(Crime No.121/2021)

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

Crl.O.P. (MD)No.10568 of 2021

04.08.2021

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