



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.10762 of 2021

WEB COPY

G.Ramasamy

... Petitioner/Accused No.2

Vs.

1.The Assistant Commissioner of Police,
Tirunelveli Town Law and Order Sub-Division,
Tirunelveli,
Tirunelveli District.
(Crime No.311 of 2021)

2.The Inspector of Police,
Tirunelveli Town Police Station,
Tirunelveli,
Tirunelveli District.
(Crime No.311 of 2021)

... Respondents 1 & 2/
Complainants

3.Arunraj

... 3rd Respondent/
Defacto complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned II Additional Sessions Judge for SC/ST (Prevention of Atrocities) Act, PCR Court, Tirunelveli to consider the bail application of the petitioner on the same day of his surrender in Crime No.311 of 2021 on the file of the 1st and 2nd respondent police.

For Petitioner : Mr.N.Pragalathan

For R-1 and R-2 : Mr.R.M.Anbunithi

Additional Public Prosecutor

O R D E R

This petition has been filed to direct the learned II Additional Sessions Judge for SC/ST (Prevention of Atrocities) Act, PCR Court, Tirunelveli to consider the bail application of the petitioner on the same day of his surrender in Crime No.311 of 2021 on the file of the 1st and 2nd respondent police.

2. The petitioner is the second accused in Crime No.311 of 2021, on the file of the second respondent for the offences punishable under Sections 294(b), 427 & 506(ii) IPC and Sections 3 (1)(r) & 3(1)(s) of SC/ST (POA) Amendment Act 2015.

3. Mr.R.M.Anbunithi, learned Additional Public Prosecutor



accepts notice for the respondents 1 and 2. He submits that no previous case is pending against the petitioner.

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 II Additional Sessions Judge for SC/ST (Prevention of Atrocities) Act, PCR Court, Tirunelveli 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 applications 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 disposed of.

Sd/-

Assistant Registrar (W)

// 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 II Additional Sessions Judge for SC/ST (Prevention of Atrocities)

Act, PCR Court, Tirunelveli

2.The Assistant Commissioner of Police,

Tirunelvli Town Law and Order Sub-Division,

Tirunelveli,

Tirunelveli District.

<https://hcservices.tn.courts.gov.in/hcservices>



3.The Inspector of Police,
Tirunelveli Town Police Station,
Tirunelveli,
Tirunelveli District.

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

+1 CC to M/s.N.PRAGALATHAN, Advocate (SR-25756[F] dated
10/08/2021)

CrI.O.P. (MD) No.10762 of 2021
06.08.2021

RD(16.08.2021) 3P 6C