



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 06.08.2021

WEB COPY

CORAM:
THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**
Crl.O.P.(MD)No.10860 of 2021

1.Ramar
2.Muniyaraj
3.Manoothu @ Irulandi ... Petitioners/Accused 5 to 7

Vs.

1.The Deputy Superintendent of Police,
Thiruchuli,
Viruthunagar District.

2.The State Rep by
The Inspector of Police,
Thiruchuli Police Station,
Viruthunagar District.
In Crime No.94 of 2021. ..Respondent/Complainant

3.Senthilkumar ..Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, permitting the petitioners to surrender and accept the bail application filed by the petitioners before the learned Sessions Judge, Special Court for SC/ST (POA) Act, Viruthunagar at Srivilliputtur in Crime No.94/2021,on the file of the first respondent police and in the event of filing the same, the said application may be directed to be considered on the same day on merits and in accordance with law.

For Petitioners : Mr.M.Karunanithi.
For R-1 and R-2 : Mr.R.M.Anbunidhi
Additional Public Prosecutor

O R D E R

This petition has been filed to accept the surrender and bail application filed by the petitioners before the learned Sessions Judge, Special Court for SC/ST (POA) Act, Viruthunagar at Srivilliputtur in Crime No.94/2021,on the file of the first respondent police and in the event of filing the same, the said application may be directed to be considered on the same day on merits and in accordance with law.



2. The petitioners are the accused Nos.5 to 7 in Crime No.94 of 2021, on the file of the second respondent for the offences punishable under Sections 147, 148, 294(b), 323, 324, 506 (ii) Section 4 of Tamilnadu Prohibition of Harassment of Women Act, 2002 r/w under Sections 3(i)(r) & 3(i)(s) & 3(2)(v) 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 the first petitioner is involved in six previous cases and 110 Cr.P.C proceedings has been initiated against the second petitioner and as far as the third petitioner is concerned, he has no previous case. He further submits that the injured was discharged from the Hospital on 24.05.2021.

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 for the second and third petitioners alone** as per the following conditions:-

1)The second and third petitioners shall appear before the learned Sessions Judge, Special Court for SC/ST (POA) Act, Viruthunagar at Srivilliputtur 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 second and third petitioners and pass orders on merits on the same day of their surrender, after hearing the defacto complainant by complying with Section 15(5) of the Act.

5. Accordingly, this Criminal Original Petition is partly allowed. Petition filed by the first petitioner stands dismissed.

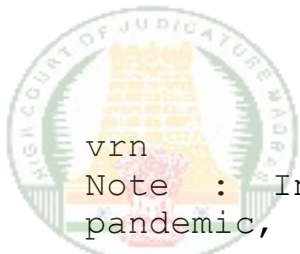
Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)



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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 for SC/ST (POA) Act,
Viruthunagar at Srivilliputtur,

2.The Deputy Superintendent of Police,
Thiruchuli,
Viruthunagar District.

3.The State Rep by
The Inspector of Police,
Thiruchuli Police Station,
Viruthunagar District.
In Crime No.94 of 2021.

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

+1 CC to M/s.M.KARUNANITHI, Advocate (SR-25740[F] dated 10/08/2021)

Crl.O.P. (MD)No.10860 of 2021

06.08.2021

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