



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.10863 of 2021

WEB COPY

1.C.Palraj

2.P.Mani Chinnappan

3.P.Arul

4.P.Antony

... Petitioners/Accused Rank
Not known

Vs.

1.The State rep by

The Assistant Commissioner of Police,
Tirunelveli Town Zone,
(Pettai Police Station),
Tirunelveli City.
(Crime No.136 of 2021)

2.The Inspector of Police,
Pettai Police Station,
Tirunelveli City.
(Crime No.136 of 2021)

... Respondents 1 & 2/
Complainants

3.Mr.Esakkimuthu

... 3rd Respondent/
Defacto complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned II Additional District and Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Tirunelveli to accept the surrender of the petitioners/Accused Rank not known and consider the petitioners bail applications and grant bail on the date of surrender itself in Crime No.136 of 2021, dated 08.04.2021, on the file of the respondent No.2 police.

For Petitioners : Mr.I.Pinayagash

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 to direct the learned II Additional District and Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Tirunelveli to accept the surrender of the petitioners/Accused Rank not known and consider the petitioners bail



applications and grant bail on the date of surrender itself in Crime No.136 of 2021, dated 08.04.2021, on the file of the respondent No.2 police.

2. The petitioners are the accused in Crime No.136 of 2021, on the file of the second respondent for the offences punishable under Sections 147, 341, 323, 324, 342 IPC and Sections 3(2)(va) of SC/ST (POA) 1989.

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 petitioners. Injured person was discharged from the Hospital.

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 petitioners shall appear before the learned II Additional District and Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, 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 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 disposed of.

Sd/-

Assistant Registrar (T&P)

// 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



To

1.The II Additional District and Sessions Judge
(Special Court for Scheduled Castes and Scheduled Tribes
(Prevention
of Atrocities) Act, 1989,

2.The Assistant Commissioner of Police,
Tirunelveli Town Zone,
(Pettai Police Station),
Tirunelveli City.

3.The Inspector of Police,
Pettai Police Station,
Tirunelveli City.

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

CrI.O.P. (MD) No.10863 of 2021
06.08.2021

LS (CO)

KB(13.08.2021) 3P 5C