



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P. (MD)No.10878 of 2021

WEB COPY

1.Balamurugan

2.Ranjith @ Ranjith Kumar

3.Vishva

4.Akilan

5.Arun

6.Alex

... Petitioners/A1,A2,A4 to A7

Vs.

1.The Deputy Superintendent of Police,
Melur Circle,
Madurai District.

2.The State rep. by
Inspector of Police,
Kottampatti Police Station,
Madurai District
(Crime No.219 of 2021)

...Respondents 1 and 2/Complainants

3.Bharathi

... 3rd Respondent/Defacto Complainant

4.Ajay

... 4th Respondent/Injured

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to pass an order permitting the petitioners to surrender before the III Additional District Judge, Special Court for PCR Act, Cases, Madurai in connecton with Crime No.219 of 2021 on the file of the second respondent police and file an application for the grant of bail on the same day 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
For R-1 and R-2

: Mr.B.Viswanathan
: Mr.R.M.Anbunithi
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the III Additional District Judge, Special Court for PCR Act, Cases, Madurai to accept the surrender of the petitioners and consider the bail applications



on the date of surrender in connection with Crime No. 219 of 2021 on the file of the second respondent Police.

2.The petitioners are arrayed as A1, A2,A4 to A7 in Crime No.219 of 2021 on the file of the second respondent police for the offences punishable under Sections 147, 323, 506(ii), 379(NP) of I.P.C r/w Sections 3(1)(r), 3(1)(s) and 3(2)(Va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

3.Mr.R.M.Anbunithi, learned Additional Public Prosecutor accepts notice for the respondents 1 and 2.

3.Though the learned Additional Public Prosecutor submits that the second and third petitioners are having previous cases, it is seen that those cases are filed during the pandemic period since the second and the third petitioners are roaming outside when ban under Section 144 Cr.P.C is invoked.

4.Considering the facts and circumstances of the case and considering the nature of offences, this Court is inclined to pass the following orders :-

1) The petitioners shall appear before the III Additional District Judge, Special Court for PCR Act, Cases, Madurai, 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 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.With the above observation, this Criminal Original Petition is disposed of.

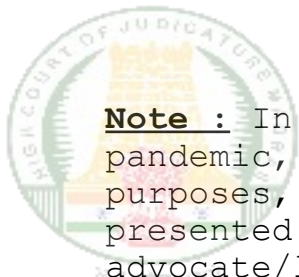
Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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

WEB COPY

- 1.III Additional District Judge,
Special Court for PCR Act, Cases,
Madurai.
- 2.The Deputy Superintendent of Police,
Melur Circle,
Madurai District.
- 3.The Inspector of Police,
Kottampatti Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P. (MD)No.10878 of 2021
09.08.2021

RS (16.08.2021) 3P 5C