



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.10760 of 2021

WEB COPY

Munishwaran @ Muneeswaran

... Petitioner/Accused No.1

Vs.

1.The Deputy Superintendent of Police,
Keelakarai Sub Division,
Ramanthapuram District.

2.The Inspector of Police,
Sayalkudi Police Station,
Ramanthapuram District.
(Cr.No.304/2021)

... Respondents 1 & 2/
Complainants

3.Balamurugan

... 3rd Respondent/Defacto
complainant/Victim

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Judge, Special Court for trial of cases under SC and ST Act,1989, Ramanathapuram to accept the surrender of the petitioner and consider his bail application on the same day on merits in relating to Crime No.304 of 2021, dated 23.07.2021, on the file of the respondent police.

For Petitioner	: Mr.T.Veerakumar
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 the learned Judge, Special Court for trial of cases under SC and ST Act,1989, Ramanathapuram to accept the surrender of the petitioner and consider his bail application on the same day on merits in relating to Crime No.304 of 2021, dated 23.07.2021, on the file of the respondent police.

2. The petitioner is the first accused in Crime No.304 of 2021, on the file of the second respondent for the offences punishable under Sections 147, 148, 294(b), 352, 506(2) IPC, 25(1) (a) of Arms Act, 1959 and Sections 3(1)(r), 3(1)(s) & 3(2)(va) of SC/ST (POA) Act 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 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 Judge, Special Court for trial of cases under SC and ST Act,1989, Ramanathapuram, 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 (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

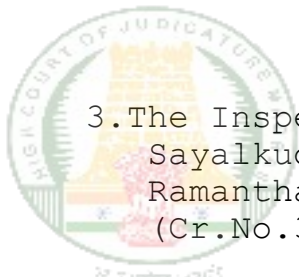
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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Special Court for trial of cases under SC and ST Act,1989,
Ramanathapuram.

2.The Deputy Superintendent of Police,
Keelakarai Sub Division,
Ramanthapuram District.



3.The Inspector of Police,
Sayalkudi Police Station,
Ramanthapuram District.
(Cr.No.304/2021)

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

Crl.O.P. (MD) No.10760 of 2021
06.08.2021

RK (13.08.2021) 3P 5C