



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 10.08.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGOVAN**

Crl.O.P.(MD)No.11097 of 2021

WEB COPY

1.Mokkaraj  
2.Jeyaraman  
3.Ayyanar

... Petitioners/Accused  
Nos.1 to 3

Vs.

1.The State represented by  
The Deputy Superintendent of Police,  
Bodi Sub Division,  
Theni District.

2.The Inspector of Police,  
Bodinayakanur Rural Police Station,  
Theni District.

(Crime No.536 of 2021)

...1<sup>st</sup> and 2<sup>nd</sup> Respondents /  
Complainant

3.Alagumalai

...3<sup>rd</sup> Respondent/Defacto  
Complainant

**Prayer** : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Judge, Special Court for PCR Cases, Theni District to accept the surrender of the petitioners in connection with the Crime No.536 of 2021, on the file of the second respondent police and to consider and dispose of the bail application filed by the petitioner on the same day on merits.

For Petitioners : Mr.A.Mithun Chakravarthi  
For R1 & R2 : Mr.R.M.Anbunithi,  
Additional Public Prosecutor

**ORDER**

The petitioners are the accused 1 to 3 in Crime No.536 of 2021, Bodinayakanur Rural Police Station, Theni District and the offences alleged against the accused are under Sections 147, 148, 506(2) IPC and under Sections 3(i)(r), 3(i)(s) and 3(2) (va) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2.The present petition filed by the petitioners is to direct the learned Judge, Special Court for PCR Cases, Theni District to accept the surrender of the petitioners and also to consider the bail applications on the same day.



3.Mr.R.M.Anbunithi, learned Additional Public Prosecutor accepts notice for the respondents 1 and 2 and would submit that no injured person in this case no previous case is pending against the petitioners. The third respondent is the de-facto complainant.

4.Since the prayer itself is to accept the surrender of the petitioners and consider the bail application and also considering the submission of the learned Additional Public Prosecutor, this Court is inclined to pass the following orders :-

1) The petitioners should appear before the learned Judge, Special Court for PCR Cases, Theni District within a period of 15 days from the date of receipt of a copy of this order / uploading of the order.

2) On such surrender, concerned Judge, may consider the bail application filed by the petitioners on merits on the same day of surrender, after giving notice to the concerned Public Prosecutor and 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)

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 Special Court for PCR Cases, Theni District

2.The Deputy Superintendent of Police,  
Bodi Sub Division, Theni District.

3.The Inspector of Police,  
Bodinayakanur Rural Police Station,  
Theni District.



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

WEB COPY

**Crl.O.P. (MD)No.11097 of 2021**

**10.08.2021**

=CN(17.08.2021) 3P 5C