



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.08.2021

WEB COPY

CORAM:
THE HONOURABLE MR.JUSTICE **G.ILANGOVA**
Crl.O.P.(MD)No.11284 of 2021

Bharathiraja

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Alangudi Sub Division,
Pudukottai District.

2.The Inspector of Police,
Karambakudi Police Station,
Pudukottai.

3.Vellacichamy

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Special Court for SC/ST Act Cases, Pudukottai District to consider the bail application of the petitioner/accused No.1, if any filed by him, on his surrender on the same day in Crime No.498 of 2021 on the file of the 2nd respondent police.

For Petitioner : Mr.S.Karthikeyan

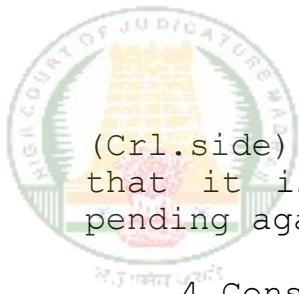
For R1 and R2 : Mr.R.M.Anbunidhi
Additional Public Prosecutor (Crl.Side)

ORDER

This petition has been filed to direct the learned Special Judge for SC/ST Act Cases, Pudukottai District to accept the surrender of the petitioner and consider the bail application on the date of his surrender in connection with Crime No.498 of 2021 on the file of the 2nd respondent police.

2.The petitioner is the 1st accused in Crime No.498 of 2021 on the file of the 2nd respondent police for the offences punishable under Sections 294(b) and 323 of I.P.C r/w 3(1)(r), 3(i)(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
<https://hcservices.ecourts.gov.in/hcservices/>



(Crl.side) accepts notice for the respondents 1 and 2. He submitted that it is a case and case in counter and no previous case is pending against the petitioner.

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

1) The petitioner shall appear before the learned Special Judge for SC/ST Act Cases, Pudukottai District, 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 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.With the above observation, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mm

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 Judge, Special Court for SC/ST Act Cases,
Pudukottai District.

2.The Deputy Superintendent of Police,
Alangudi Sub Division,
Pudukottai District.

3.The Inspector of Police,
Karambakudi Police Station,
Pudukottai.



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

CrI.O.P. (MD) No.11284 of 2021
12.08.2021

MGJ(19.08.2021) 3P 5C