



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **30.09.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G. ILANGO VAN**
Crl.O.P. (MD)No.14773 of 2021

WEB COPY

1.Sundarajan

2.P.Vinoth

3.R.Vinoth

... Petitioners/Accused

Vs.

1.The Deputy Superintendent of Police,
District Police Office,
Ramanathapuram.

2.State represented through
The Inspector of Police,
Emaneswaram Police Station,
Ramanathapuram District.
(Crime No.121 of 2021)

... Respondents/Complainants

3.R.Muthuraja

... Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the Sessions Judge, (PCR), Ramanathapuram, to accept the surrender of the petitioners and consider the bail petition on the same day itself in connection with Crime No.121 of 2021 on the file of the second respondent police.

For Petitioners : Mr.N.Shyllappa Kalyan

For R1 and R2 : Mr.R.M.S.Sethuraman
Additional Public Prosecutor

ORDER

This petition has been filed to direct the Sessions Judge, (PCR), Ramanathapuram, to accept the surrender of the petitioners and consider the bail application on the date of surrender in connection with Crime No.121 of 2021 on the file of the second respondent police.

2.The petitioners herein are the accused in Crime No.121 of 2021 on the file of the second respondent police for the offences punishable under Sections 3(1)(r), 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and Sections 304(a), 305, 307, 309, 323 and 506(ii) of I.P.C.



3.Mr.R.M.S.Sethuraman, learned Additional Public Prosecutor, accepts notice for the respondents 1 and 2. He submitted that the injured has been discharged from the hospital and the petitioners 1 and 2 are having no previous case. In so far as the third petitioner/ R.Vinoth is concerned, he involved in Crime No.383 of 2010, which was registered for the offences punishable under Sections 294 (b), 323 and 506(i) of I.P.C.

4.The learned counsel appearing for the petitioners would submit that it is a matter of 2010 and after that, there is no case as against the third petitioner. However, considering the antecedents of the third petitioner, the discretionary relief cannot be granted at this stage. Hence, this Petition is dismissed as far as the third petitioner is concerned.

5. In so far as the petitioners 1 and 2 are concerned, this Court is inclined to pass the following orders :-

1) The petitioners 1 and 2 shall appear before the Sessions Judge, (PCR), 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 application filed by the petitioners 1 and 2 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.

6.With the above observation, this Criminal Original Petition is partly allowed.

Sd/-

Assistant Registrar (Crl side)

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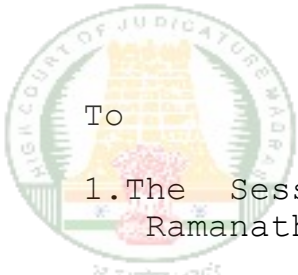
/ /2021

Sub Assistant Registrar(CS)

Ls

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.

<https://hcservices.ecourts.gov.in/hcservices/>



To

1.The Sessions Judge, (PCR),
Ramanathapuram.

2.The Deputy Superintendent of Police,
District Police Office,
Ramanathapuram.

3.The Inspector of Police,
Emaneswaram Police Station,
Ramanathapuram District.

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

+1 CC to M/s.N.SHYLLAPPA KALYAN, Advocate (SR-30902[F] dated
01/10/2021)

CrI.O.P. (MD) No.14773 of 2021

30.09.2021

RK (08.10.2021) 3P 6C