



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P. (MD)No.12112 of 2021

WEB COPY

Muthu @ Rethinakumar

... Petitioner/A-5

Vs.

1.The Deputy Superintendent of Police,
Manamadurai,
Sivagangai District.

2.The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
(Crime No.149 of 2019)

...R-1 & R-2/Complainant

3. Alagi @ Lakshmi

...R-3/Defacto complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the Special Judge for SC/ST (Prevention of Atrocities)Act/District and Sessions Judge (PCR Unit), Sivagangai, to consider the bail application of the petitioner on the same day of his surrender in Crime No.149 of 2019 on the file of the respondent police.

For Petitioner : Mr.S.Muniyandi

For R-1 and R-2 : Mr.R.M.Anbunithi
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the learned Special Judge for SC/ST (Prevention of Atrocities)Act/District and Sessions Judge (PCR Unit), Sivagangai, to accept the surrender of the petitioner and consider the bail application on the date of surrender in connection with Crime No.149 of 2019 on the file of the second respondent Police.

2. The petitioner is the sole accused in Crime No.149 of 2019 on the file of the second respondent police for the offences punishable under Sections 147, 148, 324, 506(ii) of I.P.C r/w 3(1) (r), 3(1)(s) of the Scheduled Caste and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.



3. The learned Additional Public Prosecutor accepts notice for the respondents 1 and 2. The third respondent is the de-facto complainant.

4. The learned Additional Public Prosecutor would submit that the injured was discharged from the hospital and no case is pending against the petitioner.

5. Since the injured was discharged from the hospital and no case is pending against the petitioner and the prayer itself is to accept the surrender of the petitioner and consider the bail application, this Court is inclined to pass the following orders :-

1) The petitioner should appear before the learned Special Judge for SC/ST (Prevention of Atrocities) Act/District and Sessions Judge (PCR Unit), Sivagangai, 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 Sessions Judge, may consider the bail application filed by the petitioner on merits on the same day of surrender, after giving notice to the concerned Public Prosecutor and by complying Section 15(5) of the Act.

6. With the above observation, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ksa

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 for SC/ST (Prevention of Atrocities) Act/
District and Sessions Judge (PCR Unit), Sivagangai

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



2.The Deputy Superintendent of Police,
Manamadurai,
Sivagangai District.

3.The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.

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

Crl.O.P. (MD) No.12112 of 2021
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RK (02.09.2021) 3P 5C