



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G. ILANGO VAN**

Crl.O.P. (MD)No.12684 of 2021

WEB COPY

1.Raja @ Arokkiyasamy

2.Kala

3.Divakar

4.Karthik

5.Kesavan

... Petitioners

vs.

1.The Deputy Superintendent of Police,
Nilakkottai, Dindigul District.

2.The State Rep. by,
The Inspector of Police,
Batlagundu Police Station,
Dindigul District.
Crime No.983 of 2021.

3.Thangammal

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Principal and District Sessions Judge and Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Dindigul to accept the surrender of the petitioners and consider their bail application and grant bail on the same date of surrender itself in connection with the case in Crime No.983 of 2021 registered on 22.08.2021 on the file of the second respondent Police.

For Petitioner : Mr.J.Lawarance

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 Principal and District Sessions Judge and Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Dindigul to accept the surrender of the petitioners and consider their bail application and grant bail on the same date of



surrender itself in connection with the case in Crime No.983 of 2021 registered on 22.08.2021 on the file of the second respondent Police.

2. The petitioners are the accused Nos.2 to 6 in Crime No.983 of 2021, on the file of the second respondent for the offences punishable under Sections 147, 294(b), 323, 341, 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 and under Sections 3(1)(r), 3(1)(s) of SC/ST (POA) Amendment Act, 2015.

3. Mr.R.M.Anbunithi, learned Additional Public Prosecutor who accepts notice for the respondents 1 and 2 would submit that the injured has been discharged from the Hospital.

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 Principal and District Sessions Judge and Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Dindigul 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 their surrender, after hearing the defacto complainant by complying with Section 15(5) of the Act.

5. Accordingly, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ssb

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 Principal and District Sessions Judge and Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Dindigul
 2. The Deputy Superintendent of Police,
Nilakkottai, Dindigul District.
 3. The Inspector of Police,
Batlagundu Police Station,
Dindigul District.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- +1 CC to M/s.J.LAWRANCE, Advocate (SR-28283[F] dated 06/09/2021

Crl.O.P. (MD)No.12684 of 2021
06.09.2021

RK (14.09.2021) 3P 6C