



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G. ILANGOVAN**

Crl.O.P. (MD)No.12617 of 2021

Muthumani

... Petitioner

vs.

1.The Deputy Superintendent of Police,
Muthukulathur Division,
Ramanathapuram District.

2.The Inspector of Police,
Peraiyur Police Station,
Ramanathapuram District.

3.Sakthimurugan

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Sessions Judge, Special Judge of Exclusive Trial Cases SC/ST Cases (POA) Act, 1989, Ramanathapuram to consider and dispose of the bail application of the petitioner in Crime No.90 of 2021 on the file of the second respondent on the same day of his surrender before the said Court.

For Petitioner : Mr.R.Manickam

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 Sessions Judge, Special Judge of Exclusive Trial Cases SC/ST Cases (POA) Act, 1989, Ramanathapuram to consider and dispose of the bail application of the petitioner in Crime No.90 of 2021 on the file of the second respondent on the same day of his surrender before the said Court.

2.The petitioner is the accused in Crime No.90 of 2021, on the file of the second respondent for the offences punishable under Sections 147, 148, 294(b), 323, 324, 307 and 506(ii) of IPC and Sections 3(1) (r), 3(1) (s) of SC/ST (POA) Act.

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 Sessions Judge, Special Judge of Exclusive Trial Cases SC/ST Cases (POA) Act, 1989, 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 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 III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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 Sessions Judge,
Special Judge of Exclusive Trial
Cases SC/ST Cases (POA) Act, 1989,
Ramanathapuram.
- 2.The Deputy Superintendent of Police,
Muthukulathur Division,
Ramanathapuram District.
- 3.The Inspector of Police,
Peraiyur Police Station,
Ramanathapuram District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P. (MD)No.12617 of 2021

01.09.2021

RS (08.09.2021) 2P 5C

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