



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.10.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGOVAN**

Crl.O.P. (MD)No.14856 of 2021

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Baskaran

...Petitioner/Accused No.2

Vs.

1.State Rep.by,
The Deputy Superintendent of Police,
Theni,
Theni District.

2.The Inspector of Police,
All Woman Police Station,
Theni District,
(Crime No.32/2021).

...Respondents/Complainants

3.B.Balaselvi

...Respondent/Defacto
Complainant/Victim

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the Additional District and Session Judge, Theni (PCR Act Cases) to consider the bail application on his surrender on the same day, if any petition filed by the petitioner in Crime No.32/2021, on the file of the second respondent.

For Petitioner : Mr.C.Susi Kumar

For Respondents : Mr.RMS.Sethuraman
Additional Public Prosecutor

ORDER

This petition has been filed to direct the learned Additional District and Session Judge, Theni (PCR Act Cases), to accept the surrender of the petitioner and consider the bail application on the date of his surrender in connection with Crime No.32 of 2021 on the file of the 2nd respondent Police.

2.The petitioner is the accused No.2 in Crime No.32 of 2021 on the file of the 2nd respondent police for the offences punishable under Sections 417, 376, 324, 294(b), 506(i) of IPC, r/w Section 3 (1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.



3.Mr.RMS.Sethuraman, learned Additional Public Prosecutor accepts notice for the respondents 1 and 2. He submitted that no previous case is pending against the petitioner and the injured person has been discharged from the hospital.

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4.Even though FIR has been registered under Sections 417, 376, 324, 294(b), 506(i) of IPC, r/w Section 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, it appears that against this petitioner a specific allegation has been made to the effect that when the crime of the petitioner has been brought to his notice, he criminally intimidated the defacto complainant. It is also admitted that the main accused has been arrested and remanded into custody. Considering the limited allegations against this petitioner, this Court issued the following directions.

1)The petitioner shall appear before the learned Additional District and Session Judge, Theni (PCR Act Cases), 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.With the above observation, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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 Additional District and Session Judge (PCR Act Cases),
Theni.

2.The Deputy Superintendent of Police,
Theni,
Theni District.

3.The Inspector of Police,
All Woman Police Station,
Theni District.

Copy to

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

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