



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.10.2021

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGOVAN

Crl.O.P. (MD)No.15093 of 2021

WEB COPY

Maruthaiah ... Petitioner/Sole Accused
Vs.
1.The Deputy Superintendent of Police,
Madurai District,
Madurai.
2.The State rep. by the
Inspector of Police,
Samayanallur Police Station,
Madurai District.
(in Crime No.386/2021) ... Respondent 1 & 2
3.Mayalagan ... 3rd Respondent/Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the Additional District Court No.III for PCR Act Cases, Madurai to consider the surrender and Bail application filed by the petitioner in Crime No.386 of 2021, pending on the file of the 2nd respondent police on the same day.

For Petitioner : Mr.B.Suriya Narayana Samy
For Respondents : Mr.R.M.S.Sethuraman for R1 & R2
Additional Public Prosecutor

ORDER

This petition has been filed to direct the learned III Additional District and Sessions Judge (Special Court for SC/ST (POA Act), Madurai, to accept the surrender of the petitioner and consider the bail application on the date of his surrender in connection with Crime No.386 of 2021 on the file of the 2nd respondent Police.

2.The petitioner is an accused in Crime No.386 of 2021 on the file of the 2nd respondent police for the offences punishable under Sections 294(b), 323, 341, 506(ii) 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, 2015.

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 and it is a case in counter case.



4.Considering the facts and circumstances of the case, this Court is inclined to pass the following orders :-

1)The petitioner shall appear before the learned
III Additional District and Sessions Judge
(Special Court for SC/ST (POA Act), Madurai,
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.

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

Sd/-

Assistant Registrar (CO)

// 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 III Additional District and Sessions Judge
(Special Court for SC/ST (POA Act), Madurai.
- 2.The Deputy Superintendent of Police, Madurai District.
- 3.The Inspector of Police,
Samayanallur Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Cr1.O.P. (MD)No.15093 of 2021

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KM(CO)

GC/PM(02.11.2021) 2P 5C

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