



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGOVAN

Crl.O.P. (MD)No.15178 of 2021

WEB COPY

S.Manova

... Petitioner/Accused No.1

Vs

1.The Deputy Superintendent of Police,
Sathankulam Sub Division,
Thoothukudi,
Thoothukudi District.

2.The Sub-Inspector of Police,
Nazareth Police Station,
Thoothukudi District.
(Crime No.186/2021)

... Respondents 1 & 2/
Complainant

3.S.Kannan

... 3rd Respondent/
Defacto complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Judge, Special Court (PCR Court Wing), Thoothukudi to accept the surrender of the petitioner and consider the bail application of the petitioner on the same day on merits in the event of their surrender in connection with Crime No.186 of 2021, on the file of the respondent police.

For Petitioner : Mr.KA.Ramakrishnan
For R-1 and R-2 : Mr.RMS.Sethuraman
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the learned Judge, Special Court (PCR Court Wing), Thoothukudi to accept the surrender of the petitioner and consider the bail application of the petitioner on the same day on merits in the event of his surrender in connection with Crime No.186 of 2021, on the file of the respondent police.

2. The petitioner is the accused No.1 Crime No.186 of 2021, on the file of the second respondent for the offences punishable under Sections 294(b), 323, 506(ii) IPC r/w 3(1)(r), 3(1)(s) & 3(2)(va) of SC/ST (Prevention of Atrocities), Act 1989.

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



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 Judge, Special Court (PCR Court Wing), Thoothukudi 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 his 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 (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vrn

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 Court (PCR Court Wing),
Thoothukudi
- 2.The Deputy Superintendent of Police,
Sathankulam Sub Division,
Thoothukudi,
Thoothukudi District.
- 3.The Sub-Inspector of Police,
Nazareth Police Station,
Thoothukudi District.



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

CrI.O.P.(MD)No.15178 of 2021
06.10.2021

CM(CO)

GC(25.10.2021) 3P 5C