



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 04.01.2021

CORAM :

THE HONOURABLE Mrs.JUSTICE R.HEMALATHA

Crl.O.P.(MD)No.15723 of 2020

Moorthi

... Petitioner/Accused No.15

Vs.

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

2.The State Rep. By
The Inspector of Police,
Pattiveeranpatti Police Station,
Dindigul District.
Crime No.42 of 2019

...Respondents No.1 and 2/
Complainants

3.Palanikumar

...3rd Respondent /Defacto Complainant

4.Kumar

... 4th Respondent/Victim

Prayer : Criminal Original Petition filed under Section 482 of Cr.P.C to direct the Special Court of SC/ST (POA) Act, Sessions Judge, Dindigul, to accept his surrender and bail application on the same date in connection with the case in Crime No.42 of 2019, registered on 20.02.2019 on the file of the second respondent police.

For Petitioner : Mr.J.Lawrance, Advocate

For Respondents 1 & 2 : Mr.S.Chandrasekar
Additional Public Prosecutor

ORDER

The petitioner is the 15th accused in Crime No.42 of 2019 of Pattiveeranpatti Police Station, Dindigul District. The said case was registered against the accused under Sections 147, 148, 294 (b), 323, 336, 307 of IPC and Section 3(1) (r) 3(1) (s) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Amendment Act, 2015 and Section 3(1) of the Tamil Nadu Public Property (Prevention of Damage & Loss) Act, 1992.



2.The present petition filed by the petitioner is to direct the Special Court for Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act, to accept the surrender of the petitioner and also to consider the bail application on the same day.

3.Mr.S.Chandrasekar, learned Additional Public Prosecutor takes notice for the respondents 1 and 2. The third respondent is the de-facto complainant and the fourth respondent is the victim.

4.Since the prayer itself is to accept the surrender of the petitioner and consider the bail application by the learned Sessions Judge, Dindigul, this Court is inclined to pass the following orders :-

1)The petitioner should appear before the learned Sessions Judge, (Special Court for Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act), Dindigul, within a period of 15 days from the date of receipt of a copy of this order / uploading of the order.

2)On such surrender, concerned Sessions Judge, may consider the bail application filed by the petitioner on merits, after giving notice to the concerned Public Prosecutor.

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

Sd/-

Assistant Registrar (CS-II)

// 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 Special Court of SC/ST(POA)Act,
Sessions Judge, Dindigul.

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

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Inspector of Police,
Pattiveeranpatti 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-127[F] dated 05/01/2021)

Crl.O.P.(MD)No.15723 of 2020
04.01.2021

RM

TK/SAR./18.01.2021/3P/6C