



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.10.2021**

CORAM:

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

Cr1.O.P. (MD) No.16494 of 2021

WEB COPY

Sivasankar

... Petitioner/Accused No.2

Vs.

1.State represented by

The Deputy Superintendent of Police,
Alangudi,
Pudukkottai District.

2.The Inspector of Police,
Sampathuviduthi Police Station,
(In Crime No.198 of 2021),
Pudukkottai District.

...1st&2nd Respondents/Complainant

3.Manikkam

... 3rd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Learned Special Sessions Judge for SC/ST offences, Pudukkottai, Pudukkottai District to accept the surrender of the petitioner and consider the bail application on merits on the same day in connection with Cr.No.198 of 2021 on the file of the 2nd respondent.

For Petitioner : Mr.N.A.Palaniyandi

For R1 & R2 : Mr.RMS.Sethuraman
Additional Public Prosecutor

ORDER

This petition is filed seeking direction to the learned Special Sessions Judge for SC/ST offences, Pudukkottai, Pudukkottai District, to accept the surrender of the petitioner and consider the bail application on the date of surrender in connection with Crime No.198 of 2021 on the file of the 2nd respondent police.

2.The petitioner is the 2nd accused in Crime No.198 of 2021 on the file of the 2nd respondent police for the offences punishable under Sections 294(b), 323, 341 and 506 (ii) of I.P.C and Section 3(1)(r), 3(i) (s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.



3.Mr.R.M.S.Sethuraman, learned Additional Public Prosecutor accepts notice for the respondents 1 and 2. He submitted that the injured has been discharged from the hospital and the petitioner is having no previous case.

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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 Special Sessions Judge for SC/ST offences, Pudukkottai, Pudukkottai District, 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.With the above observation, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 Sessions Judge for SC/ST offences,
Pudukkottai,
Pudukkottai District.

2.The Deputy Superintendent of Police,
Alangudi,
Pudukkottai District.

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



3.The Inspector of Police,
Sampathuviduthi Police Station,
Pudukkottai District.

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

+1 CC to M/s.NA.PALANIYANDI, Advocate (SR-33063[F] dated
28/10/2021)

Crl.O.P. (MD)No.16494 of 2021
27.10.2021

RK/SKN(18/11/2021) 3P 6C