



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G. ILANGO VAN**
Crl.O.P. (MD)No.16728 of 2021

WEB COPY

1.Selvi
2.Kalimuthu ... Petitioners/Accused
No.1 and 2

Vs.

1.The Deputy Superintendent of Police,
Officer of the Deputy Superintendent of Police,
Paramakudi,
Ramanathapuram District. ... 1st Respondent /
Complainant

2.State rep by its
The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.
(Crime No.530 of 2021) ...2nd Respondent/ Complainant

3.Sutha ...3rd Respondent/
Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Principal District and Sessions Judge, (Special Court for Scheduled Castes and Scheduled Tribes) (Prevention of Atrocities) Act, 1989, Ramanathapuram District to accept the surrender of the petitioners and consider the bail application and grant bail on the date of surrender itself in Crime No.530 of 2021, on the file of the second respondent.

For Petitioners : Mr.B.Arun
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 Principal District and Sessions Judge, (Special Court for Scheduled Castes and Scheduled Tribes) (Prevention of Atrocities) Act, 1989, Ramanathapuram District to accept the surrender of the petitioners and consider the bail application and grant bail on the date of surrender itself in Crime No.530 of 2021, on the file of the second respondent.



2. The petitioners are the accused 1 & 2 in Crime No.530 of 2021, on the file of the second respondent for the offences punishable under Sections 341, 294(b), 323, 355 & 506(i) IPC and Sections 3(i)(r), 3(i)(s) of SC/ST (POA) Amendment Act 2015.

WEB COPY 3. Mr.RMS.Sethuraman, learned Additional Public Prosecutor accepts notice for the respondents 1 and 2. He submits that no previous case is pending against the petitioners and the injured person was discharged from the Hospital on 14.10.2021.

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 petitioners shall appear before the learned Principal District and Sessions Judge, (Special Court for Scheduled Castes and Scheduled Tribes) (Prevention of Atrocities) Act, 1989, Ramanathapuram 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 petitioners 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. Accordingly, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (AD-I)

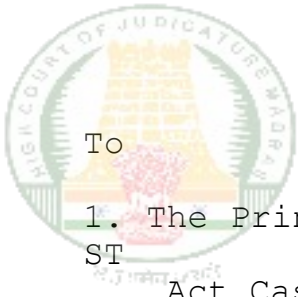
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/ /2021

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 Principal District and Sessions Judge (Special Court for SC & ST

Act Cases) (Prevention of Atrocities) Act, 1989,
Ramanathapuram District

2. The Deputy Superintendent of Police,
Officer of the Deputy Superintendent of Police,
Paramakudi,
Ramanathapuram District.

3. The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.

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

+1 CC to M/s.B.ARUN, Advocate (SR-33245[F] dated 29/10/2021)

CrI.O.P. (MD) No.16728 of 2021
29.10.2021

MA (CO)

KB(11.11.2021) 3P 6C