



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cr1.O.P (MD)No.17737 of 2021

WEB COPY

1.Saravanan

2.Jothiramalingam

... Petitioners/Accused Rank Not Known

Vs

State rep by

1.The Deputy Superintendent of Police,
Paramakudi,
Ramanathapuram District.

2.The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.
(Crime No.555/2021)

... Respondents/Complainant

3.Murali

... Respondent/Defacto Complainant/
Victims

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the Special Court PCR Act Cases, Ramanathapuram to consider the bail application on his surrender on the same day if any petition filed by the petitioner in Crime No.555/2021 on the file of the second respondent.

For Petitioners : Mr.M.Rajaravivarma
For R1 & R2 : Mr.M.Sakthi Kumar
Government Advocate

ORDER

Heard the learned counsel for the petitioners and the learned Government Advocate for the respondents 1 and 2.

2. Considering the nature of relief to be granted, notice to the defacto complainant is dispensed with.

3. The petitioners are figuring as accused in Crime No.555 of 2021 registered on the file of the second respondent for the offences under Sections 294(b), 324 & 506(ii) of IPC r/w Sections 3 (1)(r) & 3(1)(s) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 2015.



4. The learned Government Advocate (Crl.) submitted that both petitioners are having previous cases and that therefore, this criminal original petition deserves to be dismissed.

5. However, taking note of the overall facts and circumstances and after going through the contents of the FIR, I am of the view that it is a case fit for grant of relief under Section 482 of Cr.P.C., The petitioners undertake to surrender before the jurisdictional Court on 29.11.2021. The petitioners' surrender shall be accepted by the jurisdictional Court and their petition for bail shall be disposed of on the same day. The petitioners' counsel gives an undertaking that the defacto complainant will be notified about the proposed surrender of the petitioners on 29.11.2021. Such an intimation will be sent through registered post by tomorrow itself. The respondents 1 and 2 are also directed to give notice of hearing to the third respondent.

6. This Criminal Original Petition is disposed of with the following directions:-

(1) the petitioners shall surrender before the jurisdictional Court on 29.11.2021.

(2) the jurisdictional Court shall accept the surrender and dispose of the petitioners' bail petition on the same day of surrender on merits and in accordance with law.

Sd/-

Assistant Registrar(CRL SIDE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmi

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 Act Cases, Ramanathapuram.

2.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.M. RAJA RAVIVARMA, Advocate (SR-34853[F] dated
17/11/2021)

CrI.O.P (MD)No.17737 of 2021
16.11.2021

KS (CO)
TR(19.11.2021) 3P 6C