



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
Crl.O.P. (MD)No.19097 of 2021

Alayamani

... Petitioner/Accused

vs.

1.The Deputy Superintendent of Police,
Thiruvidaimarudhur,
Thanjavur District.

2.The State represented by
The Inspector of Police,
Pandhanallur Police Station,
Thanjavur District.
(Crime No.903 of 2021)

3.Rasathi

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C, to direct the I Additional District and Sessions Judge (PCR Court), Thanjavur, to consider the bail application of the petitioner on the same day on merits in the event of his surrender in connection with Crime No.903 of 2021 on the file of the second respondent.

For Petitioner : Mr.K.S.Durai Pandian

For Respondents : Mr.M.Veeranthiran
Government Advocate for R1 & R2

O R D E R

Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents 1 and 2. Considering the nature of relief to be granted, notice to the de-facto complainant is dispensed with.

2.The petitioner is figuring as accused in Crime No.903 of 2021 registered on the file of the second respondent for the offences under Sections 147, 148, 294(b), 506(2) IPC r/w Section 3 of Tamil Nadu Public Property (Prevention of Damage & Loss) Act, 1992 and Sections 3(1)(r), 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

3.The earlier petition filed by the petitioner along with other



accused was dismissed as regards the petitioner alone. The second petition has been filed by contending that it was omitted to be pointed out that out of four cases, three were ended in acquittal. When the matter was taken up for hearing before this Court on the last occasion, the matter was adjourned to verify the bad antecedents of the petitioner. When the matter was taken up for hearing today, the learned Government Advocate affirmed that even though the cases were registered against the petitioner earlier, they ended in acquittal in favour of the petitioner.

4.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 Cr.P.C., The petitioner undertakes to surrender before the jurisdictional Court on_20.12.2021. The petitioner's surrender shall be accepted by the jurisdictional Court and his petition for bail shall be disposed of on the same day. The petitioner's counsel gives an undertaking that the defacto complainant will be notified about the proposed surrender of the petitioner on 20.12.2021. 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.

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

(1) the petitioner shall surrender before the jurisdictional Court on 20.12.2021.

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

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

csm

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 I Additional District and
Sessions Judge (PCR Court), Thanjavur
- 2.The Deputy Superintendent of Police,
Thiruvidaimarudhur, Thanjavur District.
- 3.The Inspector of Police,
Pandhanallur Police Station,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P. (MD)No.19097 of 2021

07.12.2021

MGJ(09.12.2021) 3P 5C