



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD) No.19530 of 2021

1.Kumar @ Chandrakumar
2.Murugan
3.Silambarasan

... Petitioners/
Accused Nos.3,4&5

Vs

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

2.The Inspector of Police,
Thirupalaikudi Police Station,
Ramanathapuram District.
(Crime No.212 of 2021)

... Respondents 1&2/complainants

3.Ramanathan

... Respondent-3/Defacto
Complainant/Victim

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes) (Prevention of Atrocities) Act, 1989, Ramanathapuram, Ramanathapuram District to accept the surrender of the petitioner and consider the petitioner's bail application and grant bail on the date of surrender itself in Crime No.212 of 2021 on the file of the second respondent.

For Petitioners : Mr.D.Balamurugapandi
For R1 & R2 : Mr.M.Sakthi Kumar
Government Advocate (Crl.)

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 Nos.3, 4 & 5 in Crime No.212 of 2021 registered on the file of the second respondent for the offences under Sections 147, 323, 324, 294(b) & 506(i) 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.) informs the Court that against the petitioners, a previous case under SC/ST Act has been registered. The learned counsel for the petitioners states that on 05.11.2021, two cases were successively registered against the petitioners herein. In the first case ie., Crime No.210 of 2021, they were arrested and granted bail only 01.12.2021. Since they may be arrested in connection with Crime No.212 of 2021, they had filed this petition.

5. I am satisfied 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 20.12.2021. 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 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.

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

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

(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 (AS)

// 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 Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes) (Prevention of Atrocities) Act, 1989, Ramanathapuram, Ramanathapuram District.



2.The Deputy Superintendent of Police,
Thiruvadanai,
Ramanathapuram District.

3.The Inspector of Police,
Thirupalaikudi Police Station,
Ramanathapuram District.

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

+1 CC to M/s.D.BALAMURUGAPANDI, Advocate (SR-38008[F] dated
09/12/2021)

Crl.O.P (MD) No.19530 of 2021

09.12.2021

USK (10.12.2021) 3P 6C