



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2021

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

CrI.O.P (MD)No.20023 of 2021

WEB COPY

1.Galaxy Arun @ Arun

2.Ramasubramanian @ Subramanian

3.Vicky @ Selva Vignesh

4.Hari @ Ariramakrishnan

5.Sam @ Samjebadurai

6.N.R.Lakshmanan @ Lakshmanan ... Petitioners/
Accused Nos.1 to 6

Vs

1.The Assistant Commissioner of Police,
Palayamkottai,
Tirunelveli City,
Tirunelveli District.

2.The State rep. by
The Inspector of Police,
Palayamkottai Police,
Tirunelveli City,
(in Crime No.213 of 2021) ... Respondents 1 & 2 / complainant

3.Uthiranayagam ... Respondent / Defacto Complainant

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the Special Court for Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, IInd Additional Sessions Judge, Tirunelveli, Tirunelveli District to accept the surrender of the petitioners and consider their bail application on merit in accordance with law and grant bail on the same date of surrender itself in connection with the case in Crime No.213 of 2021 registered on 30.03.2021 on the file of the second respondent police.

For Petitioners : Mr.G.Anto Prince

For R1 & R2 : Mr.M.Sakthi Kumar

Government Advocate (CrI.side)



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.1 to 6 in Crime No.213 of 2021 registered on the file of the second respondent for the offences under Sections 147, 294(b), 323, 109 of IPC r/w Sections 3(1)(r), 3(1)(s) & 3(2)(va) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 2015 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002.

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 of Cr.P.C., The petitioners undertake to surrender before the jurisdictional Court on 27.12.2021. 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 27.12.2021. 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 petitioners shall surrender before the jurisdictional Court on 27.12.2021.

(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 (Writs)

// True Copy //

21/12/2021

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 IIInd Additional Sessions Judge, Tirunelveli,
Tirunelveli District.

2.The Assistant Commissioner of Police,
Palayamkottai,
Tirunelveli City,
Tirunelveli District.

3.The Inspector of Police,
Palayamkottai Police,
Tirunelveli City,

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

+1 CC to M/s.G.ANTO PRINCE, Advocate (SR-39149[F] dated
16/12/2021)

CrI.O.P (MD) No.20023 of 2021
16.12.2021

MGJ(21.12.2021) 3P 6C