



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.12.2021

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.20123 of 2021

1.V.Pitchandi
2.M.Pitchandi

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Thoothukudi Rural,
Thoothukudi District.

2.The Sub Inspector of Police,
Thattaparai Police Station,
Thoothukudi District.
(Crime No.93 of 2021)

3.P.Revathy

... Respondents

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the learned Special Court for Trial of Cases Registered under SC/ST (POA) Act, 1989, Thoothukudi to accept the surrender of the petitioners and consider their bail application on the same day in Crime No.93 of 2021 on the file of the 2nd respondent police.

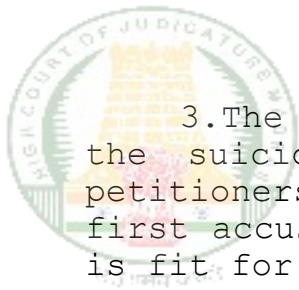
For Petitioners : Mr.R.Anandharaj

For Respondents : Mr.M.Sakthi Kumar
Government Advocate (CRL Side)

O R D E R

Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondents 1 and 2. Considering the nature of relief to be granted, notice to the third respondent/defacto complainant is dispensed with.

2.The learned Government Advocate (Crl. Side) opposed grant of relief by pointing out that the victim committed suicide and that the cases involves charging of exorbitant interest.



3.The learned counsel for the petitioners points out that in the suicide only three persons have been named and that the petitioners have been implicated based on the confession of the first accused. I am therefore of the view that this is a case that is fit for grant of relief under Section 482 of CrPC.

4.The petitioners are figuring as accused in Crime No.93 of 2021 registered on the file of the second respondent. The petitioners undertake to surrender before the jurisdictional Court on 27.12.2021. Considering the overall facts and circumstances, this criminal original petition is disposed of on the following directions:-

"(a) The petitioners shall surrender before the jurisdictional Court on 27.12.2021.

(b) The jurisdictional Court is directed to accept the said surrender and also dispose of the bail petition to be filed by the petitioners on the same day of surrender on merits and in accordance with law.

(c) The petitioners as well as the police authorities are directed to intimate the defacto complainant about the proposed surrender on 27.12.2021."

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ias

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 Judge,
Special Court for Trial of Cases
Registered under SC/ST (POA) Act, 1989,
Thoothukudi.

2.The Deputy Superintendent of Police,
Thoothukudi Rural,
Thoothukudi District.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Sub Inspector of Police,
Thattaparai Police Station,
Thoothukudi District.

4.The Special Govt. Pleader,
Madurai Bench of Madras High Court, Madurai

Copy to:

The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court, Madurai.
(for following up and posting the matter)

Crl.O.P (MD) No.20123 of 2021
17.12.2021

MGJ(30.12.2021) 3P 6C