



WEB COPY

Cr1.O.P.(MD)No.20240 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:20.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cr1.O.P (MD)No.20240 of 2021

M.Alagesan

... Petitioner

Vs

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

...1st Respondent/ Complainant

2.State rep. by its,
The Inspector of Police,
Sathankulam Police Station,
Thoothukudi District.
Crime No.330 of 2021

...2nd Respondent/ Complainant

3.Kandhasamy

...3rd Respondent/
Defacto Complainant

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the learned Sessions Judge, Special Court for trial of cases under SC/ST (POA) Act, Thoothukudi to consider the petitioner's bail application and dispose of the bail application on the same day in Crime No.330 of 2021 on the file of the second respondent.

For Petitioner : Mr.R.J.Karthick

For R1 & R2 : Mr.M.Sakthi Kumar

Government Advocate (crl.side)

ORDER

Heard the learned counsel for the petitioner 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 petitioner is an accused in Crime No.330 of 2021 registered on the file of the second respondent for the offences under Sections 294(b), 427, 435, 506(ii), 379, 428 & 429 of IPC and Section 111(1) of Prevention of Cruelty of Animal Act r/w

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



Sections 3(1)(r), 3(1)(s) & 3(2)(va) of SC/ST Amendment Act, 2015.

4. The petitioner's counsel points out that allegations have been made primarily against the first accused and that he has already been arrested. Against the petitioner, there are virtually no allegations.

5. I am satisfied that this is a case, in which, relief can be granted. The petitioner undertakes to surrender before the jurisdictional Court on 05.01.2022. 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 05.01.2022. 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 petitioner shall surrender before the jurisdictional Court on 05.01.2022.

(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 (CO)

// 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 Sessions Judge, Special Court for trial of cases under SC/ST (POA) Act, Thoothukudi.

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



3.The Inspector of Police,
Sathankulam Police Station,
Thoothukudi District.

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

+1 CC to M/s.R.J.KARTHICK, Advocate (SR-39663[F] dated 21/12/2021)

CrI.O.P (MD) No.20240 of 2021
20.12.2021

RD(22.12.2021) 3P 6C