



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD) No.107 of 2022

WEB COPY

1.A.Durai

2.Shanmugavel

... Petitioners /

Accused Rank not known

Vs

1.The Deputy Superintendent of Police,
Srivaikundam Sub Division,
Thoothukudi District.

...1st Respondent/Investigating Officer

2.The Inspector of Police,
Sawyerpuram Police Station,
Sawyerpuram,
Thoothukudi District.
(Crime No.227/2021)

... 2nd Respondents / complainant

3.Velkani

... 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, Thoothukudi District to consider the dispose of the bail application filed by the petitioners in Crime No.227 of 2021 dated 15.11.2021 on the file of the second respondent herein on the same day of their surrender before the said court.

For Petitioners : Mr.K.Veilmuthu

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

ORDER

Heard the learned counsel for the petitioners and the learned Government Advocate(crl.) 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 in Crime No.227 of 2021 registered on the file of the second respondent for the

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offences under Sections 147, 294(b), 323, 363 & 506(ii) of IPC r/w Sections 3(1)(r) & 3(2)(va) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 2015.

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 19.01.2022. 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 19.01.2022. 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.

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

(1) the petitioners shall surrender before the jurisdictional Court on 19.01.2022.

(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 (CS-I)

// True Copy //

07/01/2022

Sub Assistant Registrar (CS-II)

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,
Thoothukudi District.



2.The Deputy Superintendent of Police,
Srivaikundam Sub Division,
Thoothukudi District.

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

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

+1 CC to M/s.K.VEILMUTHU, Advocate (SR-705[F] dated 07/01/2022)

Crl.O.P(MD)No.107 of 2022
06.01.2022

RK(07/01/2021) 3P 6C