



Crl.O.P.(MD)No.16045 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.09.2022

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CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P.(MD)No.16045 of 2022

Arun Chakkaravarthy

... Petitioner/Accused

Vs.

1.The Deputy Superintendent of Police,
Puliyampatti, Tirunelveli District.

2.The State Rep. by
The Inspector of Police,
Sivagiri Police Station,
Tirunelveli District.

Crime No.250 of 2022

... 1st and 2nd Respondents/Complainants

3.G.Bose

... 3rd Respondent/De-facto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Principal District and Sessions Judge and Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, Tirunelveli to accept the surrender of the petitioner and consider his bail application and grant bail on the same day of surrender itself in connection with the case in Crime No.250 of 2022, registered on 28.06.2022 on the file of the second respondent police.

For Petitioner : Mr.N.Balasubramanian

For R-1 and R-2 : Mr.A.Albert James
Government Advocate (Crl. side)



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ORDER

This petition has been filed to direct the learned Principal District and Sessions Judge and Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, Tirunelveli to accept the surrender of the petitioner and consider his bail application and grant bail on the same day of surrender itself in connection with the case in Crime No.250 of 2022, registered on 28.06.2022 on the file of the second respondent police.

2. The petitioner is the accused in Crime No.250 of 2022, on the file of the second respondent for the offences punishable under Sections 147, 294(b) and 506(i) of IPC r/w 3(1)(r) and 3(1)(s) of SC/ST (POA) Amendment Act, 1989.

3. Mr.A.Albert James, learned Government Advocate (Crl. side) accepts notice for the respondents 1 and 2. He submits that no previous case is pending against the petitioner.

4. Considering the facts and circumstances of the case and also taking into consideration the submission of the learned Government



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Advocate (Crl. side) this Court is inclined to allow the petition, as per the following conditions:-

1)The petitioner shall appear before the learned Principal District and Sessions Judge and Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, Tirunelveli, within a period of fifteen days from the date of receipt of a copy of this order.

2)On such surrender along with notice served to the de-facto complainant, the concerned Judge shall consider the bail applications filed by the petitioner and pass orders on merits on the same day of his surrender, after hearing the de-facto complainant by complying with Section 15A(5) of the Act.

5. Accordingly, this Criminal Original Petition is allowed.

09.09.2022

Index : Yes/No

Internet : Yes/No

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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.



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G.ILANGOVAN. J.

sjj/pnn

To

- 1.The Principal District and Sessions Judge and
Special Court for Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act, Tirunelveli.
- 2.The Deputy Superintendent of Police,
Puliyampatti, Tirunelveli District.
- 3.The Inspector of Police,
Sivagiri Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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