



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.08.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD)No.10787 of 2017

1. S.Selvamurugan
2. S.Mayakannan
3. K.Karanam ... Petitioners/Accused Nos.9, 11 & 15

-Vs-

1. The Deputy Superintendent of Police,
Samayanallur Sub Division,
Madurai District. ... Respondent/Investigation Officer
2. The State,
Rep. By the Inspector of Police,
Alanganallur Police Station,
Madurai District.
(Crime No.468 of 2016) ... Respondent/Complainant
3. Velu ... Respondent/Defacto Complainant

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the learned III Additional District and Sessions Judge(PCR Court), Madurai, to consider the bail application filed by the petitioners on merits on the same day of their surrender before the above mentioned concerned Court in pending investigation of Crime No.468 of 2016 on the file of the second respondent police.

For Petitioner : Mr.R.Devaraman

For R-1 & R-2 : Mr.K.Anbarasan,
Government Advocate(Crl.Side)

O R D E R

When the matter is taken up for hearing today, the learned counsel for the petitioner submitted that bail was granted to other accused, though the case was registered for the offence under Section 302 of I.P.C. He further submitted that the case was registered on 30.10.2016 and as per the First Information Report, the petitioners' names are not shown. It is the further



contention of the learned counsel for the petitioners that the petitioners' names were included only in the Alteration Report, dated 15.11.2016.

2. Considering the fact that the bail was granted in favour of the other accused and the incident occurred on 30.10.2016, this Court is of the view that the bail application filed by the petitioners may be considered on merits.

3. In view of the above, the petitioners are directed to surrender before the trial Court within a period of two weeks from the date of receipt of a copy of this order and on such surrender, the learned III Additional District and Sessions Judge(PCR Court), Madurai, is directed to consider the bail petition filed by the petitioners in connection with Crime No.468 of 2016, on merits and in accordance with law, after issuing notice to the defacto complainant/victim under Section 15 (A) of the SC/ST Act.

4. With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar

To

1. The Deputy Superintendent of Police,
Samayanallur Sub Division,
Madurai District.
 2. The Inspector of Police,
Alanganallur Police Station,
Madurai District.
 3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
 4. The III Additional District and Sessions Judge(PCR Court),
Madurai.
- +1cc to Mr.R.Devaraman, Advocate in SR.No.73727

pmu

AE/SKN RSK/SAR1/28.08.2017/2P/6C