



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 02.01.2017

CORAM

THE HON'BLE MR.JUSTICE G.CHOCKALINGAM

Crl.O.P. (MD) .No.23972 of 2016

WEB COPY

1.Duraimurugan
2.Soundarapandi
3.Suresh
4.Perumal

... Petitioners/ Accused 1 to 4

vs.

State rep. by
The Inspector of Police,
Usilampatti Town Police Station,
Madurai District.
(Crime No.628/2016)

... Respondent/ Complainant

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the III-Additional Sessions Judge (PCR Court), Madurai to consider the bail application of the petitioner/accused in Crime No.628 of 2016, on the file of the respondent police on the same day of surrender on merits.

For Petitioners : Mr.M.Murugesan

For Respondent : Mr.K.Anbarasan

Government Advocate (Crl. Side)

O R D E R

This petition has been filed to direct learned III-Additional Sessions Judge (PCR Court), Madurai, to accept the surrender of the Petitioners and to consider the bail application on the same day, in connection with the Crime No. 628 of 2016 , on the file of the respondent police.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondent and perused the materials available on record.

3.In respect of the offences punishable under the provisions of Scheduled Castes and Scheduled Tribes Act, the Deputy Superintendent of Police is the investigating officer. But in the present case, the Deputy Superintendent of Police concerned has not been made as a party respondent. Instead, the Inspector of Police, Usilampatti Town Police Station, Madurai District, who is a party person, has been made as a party. Therefore, this Criminal Original Petition is liable to be dismissed.



4. In the result, this Criminal Original Petition is dismissed. However, liberty is given to the petitioner to file fresh application.

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Sd/-
Assistant Registrar(P&A)

/True Copy/

Sub-Assistant Registrar

To

1.The IIIrd Additional Sessions Judge (PCR Court),
Madurai

2.Do through the Principal Sessions Judge, Madurai

3.The Inspector of Police,
Usilampatti Town Police Station,
Madurai District.

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

PJL
RL/5C/2P/SKN/MM/11.1.2017

Cr1.O.P. (MD) No.23972 of 2016

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