



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.12.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P (MD) No.15123 of 2020

1.M.Balamurugan
2.Raju
3.Anand
4.Smith
5.Balamurugan
6.Ravichandran

..Petitioners/Accused Nos.
5,8,10,11,12 & 13

Vs

1.The Deputy Superintendent of Police,
(PCR Wing),
Madurai,
Madurai District.

2.The Inspector of Police,
Alanganallur Police Station,
Madurai.

..Respondents/Complainants 1 & 2

3.Ramamoorthy

.. 3rd Respondent/
Defacto Complainant

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the Learned III Additional Court for P.C.R., Cases, Madurai District to consider the bail application of the petitioners/Accused if any filed by them on their surrender on the same day in Crime No.602 of 2017 on the file of the 2nd Respondent Police.

For Petitioners : Mr.R.Babu Jaganath

For R1 & R2 : Mr.V.Neelakandan

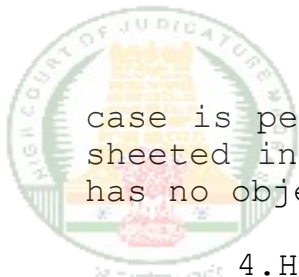
Additional Public Prosecutor (Crl.side)

O R D E R

The petitioners are arrayed as accused Nos.5,8,10,11,12 & 13 in Crime No.602 of 2017, registered on the file of Alanganallur Police Station, Madurai District, for the offences under Sections 147, 148, 294(b) and 506(ii) of IPC and r/w 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST (POA) Amendment Act, 2015.

2.The learned counsel appearing for the petitioners reiterated the contentions set out in the original petition.

3.The learned Additional Public Prosecutor, on instructions, would submit that totally there are 16 accused in this case. The petitioners are accused Nos.5,8,10,11,12 & 13. There is no previous



case is pending against these petitioners. The case has been charge sheeted in Spl.C.C.No.123 of 2019. He would further submit that he has no objection for allowing this petition.

4. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor (Crl. Side) appearing for the respondents 1 & 2. Since no adverse order is going to be passed, notice to 3rd respondent is dispensed with.

5. I am of the view that interest of justice will be served by permitting the petitioners to surrender before the learned III Additional Court for P.C.R., Cases, Madurai District, within a period of four weeks from the date of receipt of a copy of this order, on notice to the defacto complainant. The learned Judge will dispose of the petitioners' bail petition on the same day of surrender on its own merits. There will be a direction to the respondents 1 and 2 not to arrest the petitioners till the expiry of the period of four weeks.

6. This Criminal Original Petition is allowed on these terms.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vrn

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 III Additional Court for P.C.R., Cases,
Madurai District.

2.The Deputy Superintendent of Police,
(PCR Wing),
Madurai,
Madurai District.

3.The Inspector of Police,
Alanganallur Police Station,
Madurai.



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

WEB COPY

Crl.O.P(MD)No.15123 of 2020
18.12.2020

=
RVN (CO)

KK(28.12.2020) 3P 5C