



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :05.02.2021

CORAM :

THE HONOURABLE **Mrs. JUSTICE R. HEMALATHA**

Crl.O.P.(MD)No.1548 of 2021

K.Malaisamy

...Petitioner/Accused No.1

Vs.

1.State through

The Inspector of Police,
All Women Police Station,
Thallakulam,
Madurai City.

(In Crime No.53 of 2020) ...Respondent No1/Complainant

2.The Deputy Superintendent of Police,

Madurai.

...Respondent No 2

3.R.Preethi

...Respondent No 3/Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the III Additional District Judge (PCR Act Cases), Madurai to consider the bail application of the petitioner on the same day of his surrender in Crime No.53 of 2020 on the file of the first respondent police.

For Petitioner : Mr.A.Alexander

For Respondents 1 & 2 : Mr.R.Erottuchamay

Government Advocate (Criminal side)

ORDER

The petitioner is the first accused in Crime No.53 of 2020 of All Women Police Station, Madurai District and the offences alleged against the accused are under Sections 498(A), 294(b) and 506(i) of the Indian Penal Code and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Amendment Act, 2015.

2.The present petition filed by the petitioner is to direct the learned III Additional District Judge (PCR Act Cases), Madurai, to accept the surrender of the petitioner and also to consider the bail application on the same day.

3.Mr.R.Erottuchamy, learned Government Advocate (Criminal side), accepts notice for the respondents 1 and 2. The third respondent is the de-facto complainant.

4.Since the prayer itself is to accept the surrender of the petitioner and consider the bail application on the same day of surrender, this Court is inclined to pass the following orders :-

- 1) The petitioner should appear before the learned III Additional District Judge (PCR Act



Cases), Madurai, within a period of 15 days from the date of receipt of a copy of this order / uploading of the order.

2) On such surrender, the III Additional District Judge, Madurai may consider the bail application filed by the petitioner on merits, on the same day of surrender, after giving notice to the concerned Public Prosecutor.

5. With the above observation, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmk

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 District Judge
(PCR Act Cases), Madurai.

2. The Inspector of Police,
All Women Police Station,
Thallakulam,
Madurai City.

3. The Deputy Superintendent of Police,
Madurai.

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

+1 CC to M/s.A.ALEXANDER, Advocate (SR-3573[F] dated 05/02/2021)

Cr1.O.P.(MD)No.1548 of 2021
05.02.2021

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