



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :05.02.2021

CORAM :

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

CrI.O.P.(MD)No.1557 of 2021

1.Muthaiah

2.Sathiya

...Petitioners/A1&A2

Vs.

1.The Deputy Superintendent of Police,
O/o the Superintendent of Police,
Alagar Kovil Main Road,
K.Pudur, Madurai.

2.State rep., by
The Inspector of Police,
Samayanallur Police Station,
Madurai District.
(Crime No.1537 of 2020) ...1st and 2nd respondents/Complainant

3.Subbulakshmi ...3rd respondent/Defacto Complainant/Victim
4.Praveenkumar ...4th Respondent/Victim
Rep by his mother/3rd Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the III Additional District and Sessions Judge (PCR Act Cases), Madurai to consider the bail application of the petitioners on the same day of their surrender in Crime No.1537 of 2020 on the file of the second respondent police.

For Petitioner : Mr.L.Prabhu
For Respondents 1 & 2 : Mr.R.Erottuchamay
Government Advocate (Criminal side)

ORDER

The petitioners are the first and second accused in Crime No.1537 of 2020 of Samayanallur Police Station, Madurai District and the offences alleged against the accused are under Sections 294(b) and 506(i) of Indian Penal Code and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.

2.The present petition filed by the petitioners is to direct the learned III Additional District Judge (PCR Act Cases), Madurai, to accept the surrender of the petitioners 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 and the fourth respondent is the victim.

4.Since the prayer itself is to accept the surrender of the



petitioners and consider the bail application on the same day of surrender, this Court is inclined to pass the following orders :-

- 1) The petitioners 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, may consider the bail application filed by the petitioners 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 (CSIII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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. III Additional District Judge,
(PCR Act Cases), Madurai.
 2. The Deputy Superintendent of Police,
O/o the Superintendent of Police,
Alagar Kovil Main Road,
K.Pudur, Madurai.
 3. The Inspector of Police,
Samayanallur Police Station,
Madurai District.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- +1 CC to M/s.L.PRABU, Advocate (SR-3821[F] dated 08/02/2021)

Crl.O.P. (MD)No.1557 of 2021
05.02.2021

SJ(CO)

KB(01.03.2021) 2P 6C