



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.02.2021

CORAM :

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

Crl.O.P.(MD)No.2449 of 2021

Sivashanmugasundaram

... Petitioner/Accused 2

Vs.

1.The Assistant Commissioner of Police,
(Law and Order),
Tirunelveli Sub Division,
Tirunelveli City. ...1st Respondent

2.The State rep. by its
The Inspector of Police,
Tirunelveli Town Police Station,
Tirunelveli City. ...2nd Respondent/Complainant

3.Amalraj ...3rd Respondent/Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned II Additional District and Sessions Judge cum PCR Court, Tirunelveli, to consider the bail application of the petitioner on the same day of his surrender in Crime No.82 of 2021 on the file of the second respondent police.

For Petitioner : Mr.R.J.Karthick

For Respondents 1 & 2 : Mr.R.Erottuchamy

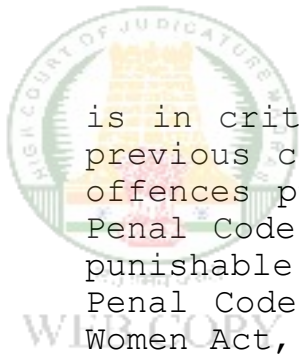
Government Advocate (Criminal side)

ORDER

The present petition is filed by the petitioner seeking for a direction to the learned II Additional District and Sessions Judge, Tirunelveli, to consider the bail application of the petitioner on the same day of his surrender in Crime No.82 of 2021 on the file of the second respondent police.

2.The petitioner is the second accused in Crime No.82 of 2021 of Tirunelveli Town Police Station, Tirunelveli City and the offences alleged against the accused are under Sections 294(b), 324, 307 and 506 (ii) of the Indian Penal Code and Sections 3(1)(r), 3(1)(s), 3(2)(va) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act, 1989.

3.Mr.R.Erottuchamy, learned Government Advocate (Criminal side) who accepts notice on behalf of the respondents 1 and 2, on instructions, would contend that the injured is hospitalized and he



is in critical stage. He would further contend that there are two previous cases against the accused in Crime No.427 of 2016 for the offences punishable under Sections 109 read with 302 of the Indian Penal Code and Crime No.843 of 2020 for the offences punishable under Sections 147, 294(b), 324, 506(ii) of the Indian Penal Code and Section 4 of Tamil Nadu Prevention of Harassment of Women Act, 2002.

4. In the circumstances, I do not find any reason to allow this petition. Accordingly, this Criminal Original Petition is dismissed.

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.The Assistant Commissioner of Police,
(Law and Order),
Tirunelveli Sub Division,
Tirunelveli City.
- 2.The Inspector of Police,
Tirunelveli Town Police Station,
Tirunelveli City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.R.J.KARTHICK, Advocate (SR-6026[F] dated 18/02/2021)

Crl.O.P.(MD)No.2449 of 2021
17.02.2021

NA(CO)
KB(10.03.2021) 2P 5C