



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06/07/2021

CORAM:

THE HONOURABLE MR.JUSTICE **G. ILANGO VAN**

Crl.O.P.(MD)No.8620 of 2021

WEB COPY

- 1.Maharaja
- 2.Parthiban
- 3.Suresh @ Balasubramaniam
- 4.Vignesh
- 5.John Alias Soda @ Johnpal

... Petitioners/Accused

1 to 5

Vs.

- 1.The Deputy Superintendent of Police (PEW),
Charenmahadevi Taluk,
Tirunelveli District.

..1st Respondent/
Investigation Officer

- 2.The State rep. by
Rep by the Sub Inspector of Police,
Mukkudal Police Station,
Tirunelveli District
(Crime No.232 of 2021)

...2nd Respondent/
Complainant

- 3.Rajkumar

... 3rd Respondent/
Defacto complainant/
Victim

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned II Additional District Judge (PCR Court), Tirunelveli District to dispose the bail application filed by the petitioners on merits on the same day of their surrender before the above mentioned concerned Court in pending investigation of Crime No.232 of 2021, on the file of the Sub Inspector of Police, Mukkudal Police Station, Tirunelveli District.

For Petitioners	: Mr.S.Sarvagan Prabhu
For R-1 and R-2	: Mr.R.M.Anbunithi
	Additional Public Prosecutor

O R D E R

This petition has been filed to direct the learned II Additional District Judge (PCR Court), Tirunelveli District to dispose the bail application filed by the petitioners on merits on the same day of their surrender before the above mentioned Court in pending investigation of Crime No.232 of 2021, on the file of the



second respondent.

2. The petitioners are the accused Nos.1 to 5 in Crime No.232 of 2021, on the file of the second respondent for the offences punishable under Sections 147, 294(b), 341, 323, 355, 387, 506(ii) of I.P.C and 3(1)(r), 3(1)(s) of SC/ST (POA) Amendment Act 2015.

3. Mr.R.M.Anbunithi, learned Additional Public Prosecutor accepts notice for the respondents 1 and 2. He submits that five previous cases are pending against the fifth petitioner and out of which, two cases were disposed of and three cases are still pending.

4. Considering the facts and circumstances of the case and also taking into consideration the submission of the learned Additional Public Prosecutor, this Court is inclined **to allow the petition except the fifth petitioner**, as per the following conditions:-

1)The petitioners 1 to 4 shall appear before the learned II Additional District Judge (PCR Court), Tirunelveli District, within a period of 15 days from the date of receipt of a copy of this order.

2)On such surrender along with notice served to the defacto complainant, the concerned Judge shall consider the bail applications filed by the petitioners 1 to 4 and pass orders on merits on the same day of their surrender, after hearing the defacto complainant by complying with Section 15(5) of the Act.

5. Accordingly, this Criminal Original Petition is partly allowed.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

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



To

1.The II Additional District Judge (PCR Court), Tirunelveli District

2.The Deputy Superintendent of Police (PEW),
Charenmahadevi Taluk,
Tirunelveli District.

3.The Sub Inspector of Police,
Mukkudal Police Station,
Tirunelveli District

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

+1 CC to M/s.S.SARAVANAPRABHU, Advocate (SR-21590[F] dated
07/07/2021)

Crl.O.P. (MD)No.8620 of 2021
06.07.2021

KK(13.07.2021) 3P 6C