



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Criminal Original Jurisdiction**

Wednesday, the Fourteenth day of July Two Thousand and Twenty One

PRESENT

The Hon'ble Mr. Justice G.ILANGO VAN

**CRL MP(MD) . No.4765 of 2021
in
CRL.O.P(MD)No.4293 of 2021**

1 Rajendran

2 Selva @ Selvaraj ... Petitioners/Accused1 & 2

Vs

1 The State Rep. by
The Deputy Superintendent Of Police,
Vedasandur Division,
Dindigul District. ...1st Respondent/Investigating Officer

2 The Inspector of Police,
Vedasandur Police Station,
Dindigul District. ...2nd Respondent/ Complainant

3 Sumathi ...3rd Respondent/Defacto Complainant

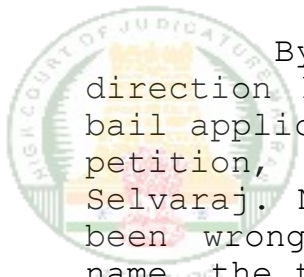
Prayer in CRL MP(MD) . No.4765 of 2021:

Criminal Miscellaneous Petition filed under Section 482 of Code of Criminal Procedure, to permit them in both the petitions to amend the 2nd petitioner name in cause title as Selva thevar alias Selvaraj instead of Selva alias Selvaraj in CRL.O.P.(MD)NO.4293 of 2021 dated 19/03/2021 and also in CRL.M.P.(MD).No.3335 of 2021 in CRL.O.P.(MD).No.4293 of 2021 dated 22.04.2021 on the file of this Honorable Court.

Prayer in CRL OP(MD) . 4293/ 2021 :

Criminal Original Petition filed under Section 482 of Code of Criminal Procedure, to direct the Additional District and Sessions Judge (Special Court for PCR), Dindigul to consider their bail application on the same day of their surrender in respect of Crime No. 141 of 2021 on the file of the second Respondent.

ORDER:- This Criminal Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.D.Venkatesh, the Petitioner and of Mr.R.M.Anbunithi, Government Advocate for the respondents 1 and 2, this Court made the following order:



By order dated 19.03.2021 in CrI.O.P(MD)No.4293 of 2021, a direction has been issued to the concerned Court to consider the bail application of the petitioner on the date of surrender. In that petition, the name of the petitioner is mentioned as Selva @ Selvaraj. Now the grievance of the petitioner is that his name has been wrongly mentioned as Selvathevar. Because of difference in name, the trial Court is not accepting his surrender. On that ground this petition is filed.

2.The learned Additional Public Prosecutor would submit that there is no question of identification dispute.The petitioner is the concerned accused in the crime. Hence, the amendment petition is allowed subject to the following observations.

"The correct name of the second petitioner is Selva @ Selvaraj. It has been wrongly mentioned in the First Information Report as Selvathevar. The trial Court shall process the petition considering the name of the second petitioner as 'Selva @ Selvaraj'." But wrongly mentioned as Selvathevar in First Information Report.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

1. THE ADDITIONAL DISTRICT AND SESSIONS JUDGE
(SPECIAL COURT FOR PCR), DINDIGUL.
2. The Deputy Superintendent Of Police,
Vedasandur Division,
Dindigul District.
3. The Inspector of Police,
Vedasandur Police Station,
Dindigul District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to:

The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court, Madurai.

ORDER DATED : 14/07/2021

ORDER

**CRL MP(MD) . No.4765 of 2021
in
CRL.O.P(MD)No.4293 of 2021**

**Giving direction and etc.
as stated within.**