



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14/07/2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGOVAN

Crl.O.P. (MD)No.9284 of 2021

WEB COPY

Santhana Marimuthu

... Petitioner/All

Vs.

1. The Deputy Superintendent of Police,
Nanguneri,
Tirunelveli District.

2. The Inspector of Police,
Thirukkurungudi Police Station,
Tirunelveli District
(Crime No.140 of 2021)

... Respondents 1 and 2 /
Complainants

3.Mani Mekala

4.Nanthini

5.Anjali

6.Johnny Mary

7.Ajay Singh

8.Jersa Singh

9.Selvam

10.Prathap Singh

11.Vinistar

... Respondents 3 to 11/
Defacto complainant/Victims

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the II Additional Sessions Judge (PCR Act Cases) Tirunelveli to consider the petitioner's bail application concerned Crime NO.140 of 2021 on the file of the Inspector of Police, Thirukkurungudi Police Station, Tirunelveli District/the Second respondent herein and pass orders in accordance with law on the same day on his surrender if any petition filed by the petitioner.



For Petitioners : Mr.K.Sivabalan
For R-1 and R-2 : Mr.R.M.Anbunithi
Additional Public Prosecutor

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ORDER

This petition has been filed to direct the II Additional Sessions Judge (PCR Act Cases) Tirunelveli, to accept the surrender of the petitioner and consider the bail application on the date of surrender in connection with Crime No.140 of 2021 on the file of the second respondent Police.

2. The petitioner is the accused No.11 in Crime No.140 of 2021 on the file of the second respondent for the offences punishable under Sections 147, 148, 294(b), 341, 323, 324, 427 and 506(ii) I.P.C r/w Section 4 of the Prohibition of Harassment of Women Act, 2002 and Sections 3(1)(r), 3(1)(a) and 3(2)(va) of SCH Caste and the SCH Tribes (Prevention of Atrocities) Amendment Act, 2015 dated 27.06.2021.

3. Mr.R.M.Anbunithi, learned Additional Public Prosecutor accepts notice for the respondents 1 and 2. He submits that it is a case of case and counter, no previous case is pending against the petitioner and injured has already been discharged from the hospital.

4. Considering the facts and circumstances of the case, this Court is inclined to pass the following orders :-

1)The petitioner shall appear before the learned II Additional Sessions Judge (PCR Act Cases) Tirunelveli, 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 application filed by the petitioner and pass orders on merits on the same day of his surrender, after hearing the defacto complainant by complying with Section 15(5) of the Act.

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

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

CM

<https://hcservices.ecourts.gov.in/hcservices/>



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.II Additional Sessions Judge (PCR Act Cases),
Tirunelveli

2.The Deputy Superintendent of Police,
Nanguneri,
Tirunelveli District.

3.The Inspector of Police,
Thirukkurungudi Police Station,
Tirunelveli District

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

+1 CC to M/s.K.SIVABALAN, Advocate (SR-22586[F] dated 14/07/2021)

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RC (19.07.2021) 3P-6C