



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15/07/2021

CORAM:

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

Crl.O.P.(MD)No.9428 of 2021

... Petitioner/1st Accused

Prakash

Vs.

1.The Deputy Superintendent of Police,
Lalgudi,
Trichy District.

2.The Inspector of Police,
Kollidam Police Station,
Trichy District.
(Crime No.119 of 2021)

... Respondents 1 & 2/
Complainant

3.Tamilarasi

... 3rd Respondent/
Defacto complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, directing the I Additional District and Sessions Court (PCR Court), Trichy to consider the petitioner's bail application on the same day of his surrender in Crime No.119 of 2021, on the file of the Inspector of Police, Kollidam Police Station, Trichy District.

For Petitioner : Mr.T.Lenin Kumar
For R-1 and R-2 : Mr.R.M.Anbunidhi
Additional Public Prosecutor

ORDER

This petition has been filed to direct the I Additional District and Sessions Court (PCR Court), Trichy, to consider the petitioner's bail application on the same day of his surrender in Crime No.119 of 2021, on the file of the Inspector of Police, Kollidam Police Station, Trichy District.

2. The petitioner is the first accused in Crime No.119 of 2021, on the file of the second respondent for the offences punishable under Sections 147, 148, 294(b), 323, 506(ii) I.P.C r/w Section 3(1)(r) , 3(1)(s) & 3(1)(f) of SC/ST (POA) Act 1989.

3. Mr.R.M.Anbunithi, learned Additional Public Prosecutor, who accepts notice for the respondents 1 and 2 would submit that the injured person was discharged from the Hospital. He would further submit that no previous case is pending against the petitioner.

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

1)The petitioner shall appear before the I Additional District and Sessions Court (PCR Court), Trichy, 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. Accordingly, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (CS-I)

// 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 concerned.

To

1.The I Additional District and Sessions Court (PCR Court), Trichy.

2.The Deputy Superintendent of Police,
Lalgudi,
Trichy District.

3.The Inspector of Police,
Kollidam Police Station,
Trichy District.

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

Crl.O.P. (MD)No.9428 of 2021
15.07.2021

CM(CO)

KB(28.07.2021) 2P 5C

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