



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.07.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G. ILANGO VAN**
Crl.O.P. (MD)No.9900 of 2021

WEB COPY

1.Sudalaimuthu
2.Mani @ Manikandan ... Petitioners/A12 & A13

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/Complainants
3.Mani Mekala
3.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 learned II Additional Sessions Judge (PCR Act Cases) Tirunelveli to consider the bail application of the petitioner concerned in Crime No.140 of 2021 on the file of the The Inspector of Police, Thirukkurungudi Police Station, Tirunelveli District/second respondent herein Police and pass order in accordance with law on the same day on his surrender if any petition filed by the petitioners.

For Petitioners : Mr.C.Susi Kumar
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 Sessions Judge (PCR Act Cases) Tirunelveli to accept the surrender of the petitioners and consider the bail applications on the date of surrender in connection with Crime No.140 of 2021 on the file of the second respondent Police.

2. The petitioners are arrayed as the accused 12 and 13 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 the SCH Caste and the SCH Tribes (Prevention of Atrocities) Amendment Act, 2015.

3. Mr.R.M.Anbunithi, learned Additional Public Prosecutor accepts notice for the respondents 1 and 2. He would submit that it is a case of case and counter, the petitioners have not involved in any previous case and the injured has 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 petitioners 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 applications filed by the petitioners 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. With the above observation, this Criminal Original Petition is disposed of.

Sd/-

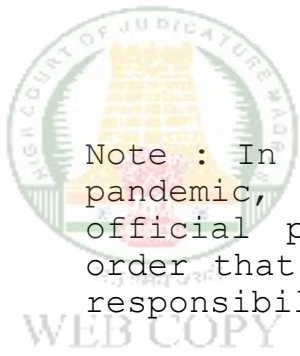
Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

CM



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 II Additional Sessions Court(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.

Crl.O.P. (MD)No.9900 of 2021

26. 07.2021

CM(CO)

LR (30.07.2021) 3P 5C