



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28/07/2021

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

Crl.O.P. (MD)No.10064 of 2021

Manikandan

... Petitioner/Accused

Vs.

1.The Deputy Superintendant of Police,
Melur Circle,
Melur,
Madurai District.

2.State represented by
Inspector of Police,
Melur Police Station,
Madurai District.
(Crime No.452 of 2021)

... Respondents 1 & 2/Complainant

3.Poovalingam

... Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the IIIrd Additional District and Sessions Judge, Madurai (PCR Court) to consider the bail application to be filed by the petitioners on the same day in Crime No.452 of 2021 on the file of Inspector of Police, Mellur Station, pending investigation with such terms and conditions imposed by this Court.

For Petitioner : Mr.S.Malaimuthan
For R-1 and R-2 : Mr.R.M.Anbunidhi
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the III Additional District and Sessions Judge, Madurai (PCR Court) to consider the bail application to be filed by the petitioner on the same day in Crime No.452 of 2021 on the file of Inspector of Police, Mellur Station.

2. The petitioner is the accused in Crime No.452 of 2021, on the file of the second respondent for the offences punishable under Sections 294(b), 323, 506(i) of I.P.C, 3(2)(V)(a) of SC/ST (POA) Amendment Act Orinance Act 2015 and 4 of TNPWH Act.



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

WEB COPY 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, as per the following conditions:-

1)The petitioner shall appear before the learned III Additional District and Sessions Judge, Madurai (PCR Court), 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(P & A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tta

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 III Additional District and Sessions Judge,
Madurai (PCR Court)



2.The Deputy Superintendant of Police,
Melur Circle,
Melur,
Madurai District.

3.Inspector of Police,
Melur Police Station,
Madurai District.

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

+1 CC to M/s.S.MALAIMUTHAN, Advocate (SR-24250[F] dated
28/07/2021)

Crl.O.P. (MD) No.10064 of 2021
28.07.2021

cm (ASO)
TR(06.08.2021) 3P 6C