



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G. ILANGO VAN**
Crl.O.P. (MD)No.10348 of 2021

WEB COPY

1.Alagu
2.Lakshmanan
3.Karthikeyan @ Karthik
4.Hareesh
5.Arunkumar @ Arun ... Petitioners/Accused 1,2,4 to 6
Vs.

1.State by its through
The Deputy Superintendent of Police,
Karaikudi,
Sivagangai District. ...1st Respondent/Respondent

2.The Inspector of Police,
Kundrakudi Police Station,
Sivagangai District.
(Crime No.114 of 2021) ...2nd Respondent/Complainant

3.Muthukrishnan ... 3rd Respondent/Defacto complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned District and Sessions cum P.C.R.Court, Sivagangai under the SC/St Act Cases, to consider the bail applications with sureties at the time of surrender of the petitioners in connection with Crime No.114 of 2021, dated 21.07.2021 is pending investigation on the file of the second respondent police.

For Petitioners : Mr.S.Sarvanan

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 learned District and Sessions Judge, District and Sessions cum P.C.R.Court, Sivagangai to consider the bail applications of the petitioners in connection with Crime No.114 of 2021, dated 21.07.2021 and to dispose of the same on the same day of their surrender itself.

2. The petitioners are the accused Nos.1,2,4 to 6 in Crime No.114 of 2021, on the file of the second respondent for the offences punishable under Sections 147, 148, 294(b), 323, 336, 506 (ii) of I.P.C and r/w 3(1)(r) & 3(1)(s) of SC/ST (Prevention of Atrocities) Act 1989.



3. Mr.R.M.Anbunithi, learned Additional Public Prosecutor accepts notice for the respondents 1 and 2. He submits that no previous case is pending against the petitioners.

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 petitioners shall appear before the learned District and Sessions Judge, District and Sessions cum P.C.R.Court, Sivagangai, 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. 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 District and Sessions Judge,
District and Sessions cum P.C.R.Court, Sivagangai.

2.The Deputy Superintendent of Police,
Karaikudi,
Sivagangai District.

<https://hcservices.e-courts.gov.in/hcservices>



3.The Inspector of Police,
Kundrakudi Police Station,
Sivagangai District.
(Crime No.114 of 2021)

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

CrI.O.P. (MD) No.10348 of 2021
02.08.2021

MGJ(06.08.2021) 3P 5C