



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.09.2021**

CORAM:

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

Crl.O.P. (MD)No.11671 of 2021

WEB COPY

L.Rani

... Petitioner/Accused No.2

Vs.

1.The Deputy Commissioner of Police,
Madurai City,
Madurai.

2.The Inspector of Police,
All Women Police Station,
Madurai South,
Madurai City.

(Crime No.18 of 2021)

...Respondents/ Complainant

3.P.Kavibala

...Respondents/ Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned III Additional District Court, (PCR Cases), Madurai, Madurai District to accept the surrender of the petitioner and consider his bail application on the same day on merits in relating to Crime No.18 of 2021 dated 30.07.2021 on the file of the 2nd respondent Police.

For Petitioner : Mr.G.Anbusaravanan

For R1 and R2 : Mr.R.M.Anbunidhi

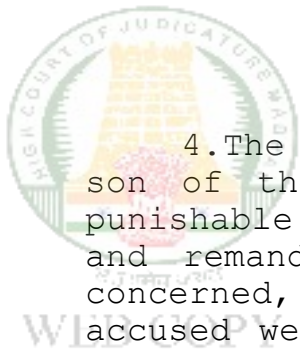
Additional Public Prosecutor (Crl.Side)

ORDER

This petition has been filed to direct the learned III Additional District Court, (PCR Cases), Madurai, Madurai District to accept the surrender of the petitioner and consider the bail application on the date of surrender in connection with Crime No.18 of 2021 on the file of the 2nd respondent.

2.The petitioner is the 2nd accused in Crime No.18 of 2021 on the file of the 2nd respondent for the offences punishable under Sections 417, 376(2)(n), 506 (I) of IPC and 3(1), w(ii) r/w 3(2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amended Act, 2016.

3.Mr.R.M.Anbunithi, learned Additional Public Prosecutor (Crl.side) accepts notice for the respondents 1 and 2.



4.The entire CD file has been perused and it reveals that the son of the petitioner alleged to have involved in the offences punishable under Sections 376 and 417 of IPC. He was also arrested and remanded to judicial custody. Insofar as the petitioner is concerned, the allegation is that when the misdeeds of the 1st accused were brought to the notice of this petitioner, he scolded her in filthy language and also driven her out of the place. The major allegation of rape and Section 417 of IPC have been made out only against the son of the petitioner.

5.Even though there is allegation to the effect that the petitioner herein made arrangement for the 1st accused to perform another marriage, considering the limited role that has been alleged against this petitioner, the following directions are issued.

1) The petitioner shall appear before the learned III Additional District Court, (PCR Cases), Madurai, Madurai District, 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.

6.With the above directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Mm

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 Judge,
(PCR Cases), Madurai, Madurai District,

2.The Deputy Commissioner of Police,
Madurai City,
Madurai.

3.The Inspector of Police,
All Women Police Station,
Madurai South,
Madurai City.

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

+1 CC to M/s.G.ABNBUSARAVANAN, Advocate (SR-28979[F] dated
14/09/2021)

Crl.O.P. (MD) No.11671 of 2021
09.09.2021

_RD(21.09.2021) 3P 6C