



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18/08/2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P. (MD)No.11726 of 2021

Ganesh

... Petitioner/Accused
(Rank not known)

vs .

1.State represented by
The Deputy Superintendent of Police,
Vallam Division,
Thanjavur District.

2.The Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur District.

... Respondents/Complainants

3.Raja ... Respondent/De-facto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned District Sessions Judge (PCR Act Cases), Thanjavur, to consider the bail application of the petitioner on the very same day of filing in Crime No.105 of 2021 on the file of the second respondent police station.

For Petitioner : Mr.K.Navaneetharaja
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 Sessions Judge (PCR Act Cases), Thanjavur to consider the bail application of the petitioner on the very same day of filing in Crime No.105 of 2021 on the file of the second respondent police station.

2.The petitioner is one of the accused in Crime No.105 of 2021, on the file of the second respondent for the offences punishable under Sections 294(b), 323, 324 and 506(ii) IPC and altered into under Section 294(b), 323, 324, 506(ii) of IPC and Sections 3(1) (r) (s) and 3(2) (va) of SC/ST (POA) Act.

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



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 District Sessions Judge (PCR Act Cases), Thanjavur 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 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 III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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 Sessions Judge (PCR Act Cases),
Thanjavur.
- 2.The Deputy Superintendent of Police, Vallam Division,
Thanjavur District.
- 3.The Inspector of Police, Thanjavur Taluk Police Station,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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RS (25.08.2021) 2P 5C

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