



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.11723 of 2021

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- 1.Thirumalai
- 2.Pandiammal
- 3.Alagammal
- 4.Muthumani
- 5.Pothum Ponnu
- 6.Jeya Lakshmi

... Petitioners

vs .

- 1.The State of Tamil Nadu represented by the
Deputy Superintendent of Police,
Melur,
Madurai District.

- 2.The Sub-Inspector of Police,
Melavalavu Police Station,
Melur Taluk,
Madurai District.

... Respondent 1 & 2/Complainant

- 3.Lakshmanan ... 3rd Respondent/De-facto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned III Additional District Judge/PCR Court, Madurai to consider and pass orders on bail application to be filed by petitioners in connection with Cr.No.39 of 2020 pending on the file of Melavalavu Police Station on the same day.

For Petitioners	: Mr.N.Dilip 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 III Additional District Judge/PCR Court, Madurai to consider and pass orders on bail application to be filed by the petitioners in connection with Cr.No.39 of 2020 pending on the file of Melavalavu Police Station on the same day.

2.The petitioners are the accused in Crime No.39 of 2020, on the file of the second respondent for the offences punishable under Sections 147,148, 447, 341, 294(b), 323, 324, 307, 379 of IPC and 3 (2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act 2015.



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 petitioners and also submitted that co-accused namely A1- A5 and A10 were surrender before the concerned Court and released on bail on the very same day.

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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 III Additional District Judge/PCR Court, Madurai 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 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 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 III Additional District Judge/PCR Court,
Madurai

2.Deputy Superintendent of Police,
Melur,
Madurai District.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Sub-Inspector of Police,
Melavalavu Police Station,
Melur Taluk,
Madurai District.

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

+1 CC to M/s.N.DILIPKUMAR, Advocate (SR-26667[F] dated 18/08/2021)

Crl.O.P. (MD)No.11723 of 2021
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RS (25.08.2021) 3P 6C