



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **30.09.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

**Crl.O.P. (MD) No.11887 of 2021**

WEB COPY

1.Manikandan

2.Arunkumar

3.Udayakumar

4.Ranjani @ Karthika

... Petitioners

**Vs.**

1.State rep. by

The Deputy Superintendent of Police,  
Samanallur (Sub-Division),  
Madurai District.

2.The Sub-Inspector of Police,  
Kadupatti Police Station,  
Madurai District.  
(Crime No.212/2017)

3.Pandiyammal

... Respondents

**PRAYER:** Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned 3<sup>rd</sup> Additional Sessions Court (PCR), Madurai, Madurai District, to accept the surrender of the petitioners and consider the bail application on merits on the date of their surrender in Crime No.212/2017 on the file of the 2<sup>nd</sup> respondent police on the very same day.

For Petitioners : Mr.M.Thiyagarajan  
For R1 & R2 : Mr.K.Sanjai Gandhi  
Government Advocate (Crl.Side)

**ORDER**

When the matter is taken up for hearing, the learned Government Advocate (Crl.side) appearing for the respondents 1 and 2 would submit that the 1<sup>st</sup> petitioner is having one previous case in Crime No.101 of 2020 for the offences punishable under Sections 323, 294 (b) and 506(ii) of IPC. Insofar as the other petitioners are concerned, no previous case is pending against them.

2.The learned counsel appearing for the petitioners would submit that the case is of the year 2017 and the investigation has been completed and the final report was also filed before the concerned Court. So, there is no question of seeking custody for interrogation.



3. In view of the above, the 1<sup>st</sup> petitioner herein is not entitled for such relief. Hence, insofar as the 1<sup>st</sup> petitioner is concerned, this petition is dismissed and insofar as the other petitioners, namely, petitioners 2 to 4 are concerned, this petition is allowed with the following directions:-

1) The petitioners 2 to 4 shall appear before the learned 3<sup>rd</sup> Additional Sessions Court (PCR), 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 petitioners 2 to 4 herein 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.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 3<sup>rd</sup> Additional Sessions Judge (PCR),  
Madurai.
2. The Deputy Superintendent of Police,  
Samanallur (Sub-Division),  
Madurai District.
3. The Sub-Inspector of Police,  
Kadupatti Police Station,  
Madurai District.
4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

**CrI.O.P. (MD) No.11887 of 2021**  
**30.09.2021**

**SE (CO) /RS (18.10.2021) 2P 5C**