



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.09.2021

CORAM:

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

CrI.O.P.(MD)No.12319 of 2021

Thajdeen

... Petitioner/Rank Not Known

Vs.

1.The Deputy Superintendant of Police,
Ottanchathiram, Dindigul District.

2.The State

Rep by the Inspector of Police,
Sempatti Police Station,
Dindigul District.

(Crime No.172 of 2021)

...Respondents 1 & 2/ Complainant

3.Vetrivel

... 3rd Respondent/Defacto complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Principal District and Sessions Judge cum PCR Court, Dindigul District to accept the surrender of the petitioner along with bail application in Cr.No.172 of 2021 on the file of the second respondent police herein and to dispose of the bail application on the same day on merits.

For Petitioner : Mr.V.Karuna

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 Principal District and Sessions Judge cum PCR Court, Dindigul District to accept the surrender of the petitioner along with bail application in Cr.No.172 of 2021 on the file of the second respondent police herein and to dispose of the bail application on the same day on merits.

2. The petitioner is the accused in Crime No.172 of 2021, on the file of the second respondent for the offences punishable under Sections 147, 148, 294(b), 341, 324, 506(ii) IPC and Sections 3(1)(r) , 3(1)(s) & 3(2)(va) of SC/ST (POA) Amendment Act 2015.

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

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 the Principal District and Sessions Judge cum PCR Court, Dindigul 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.

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 Principal District and Sessions Judge cum PCR Court,
Dindigul District

2.The Deputy Superintendant of Police,
Ottanchathiram, Dindigul District.

3.The Inspector of Police,
Sempatti Police Station, Dindigul District.

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

Crl.O.P. (MD)No.12319 of 2021

02.09.2021

RD(13.09.2021) 2P 5C