



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGOVAN

Crl.O.P. (MD)No.12376 of 2021

Balasubramanian

... Petitioner/Accused 6

vs.

1.The Deputy Superintendant of Police,
Office of Deputy Superintendent,
Pudukottai District.

2.The State Through the Inspector of Police,
Vadakadu Police Station,
Pudukottai District.

(Crime No.125 of 2021) ... 1 and 2 Respondent/Complainant

3.Pradhap ... Respondent No.3/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Special District and Sessions Court (PCR Court), Pudukottai to consider the bail application of the petitioner on same day merits in accordance with law in respect of the Cr.No.125 of 2021 on the file of respondent police.

For Petitioner : Mr.C.Gunasekaran
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 Special District and Sessions Court (PCR Court), Pudukottai to consider the bail application of the petitioner on same day merits in accordance with law in respect of the Cr.No.125 of 2021 on the file of respondent police.

2. The petitioner is the accused in Crime No.125 of 2021, on the file of the second respondent for the offences punishable under Sections 147, 341, 323 of IPC, r/w Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Case and Scheduled Tribes (Prevention of Atrocities) Amendment Ordinance Act, 1989.

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 Special District and Sessions Court (PCR Court), Pudukottai, 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 (T&P)

// 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 learned Special District
and Sessions Court (PCR Court), Pudukottai.
- 2.The Deputy Superintendant of Police,
Office of Deputy Superintendent,
Pudukottai District.
- 3.The State Through the Inspector of Police,
Vadakadu Police Station,
Pudukottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P. (MD)No.12376 of 2021

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GC(03.09.2021) 2P 5C

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