



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.08.2021

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

Crl.O.P. (MD)No.12434 of 2021

WEB COPY

1.Mahenthiran
2.Senthil Vadivu
3.Rajesh
4.Jothi@ Maharajothi

... Petitioners/Accused
Nos.1 to 4

Vs.

State rep by

1.The Deputy Superintendent of Police,
Devakottai Circle,
Sivagangai District.

2.The Inspector of Police,
Devakottai Taluk Police Station,
Sivagangai District.
(Cr.No.243/2021)

...Respondents/Complainant

3.Mr.Sethu

...3rd Respondent /
Defacto Complainant

4.Mrs.Sasikala

...4th Respondent/Victim

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Additional District & Sessions Court for exclusive trial of PCR Act Cases, Sivagangai to consider the bail application of the petitioners on the same day of their surrender in Crime No.243 of 2021 on the file of the second respondent police.

For Petitioners : Mr.S.Sathya Chithambaram
For R1 & R2 : Mr.R.M.Anbunithi,
Additional Public Prosecutor

ORDER

The petitioners are the accused in Crime No.243 of 2021, Devakottai Taluk Police Station, Sivagangai District and the offences alleged against the accused are under Sections 294(b), 448, 323, 324, 506(ii) IPC, Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 and under Sections 3(i)(r) & 3(i)(s) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

<https://hcservices.ecourts.gov.in/HCServices/> The present petition filed by the petitioners is to



direct learned Additional District & Sessions Court for exclusive trial of PCR Act Cases, Sivagangai to accept the surrender of the petitioners and also to consider the bail applications on the same day.

3.Mr.R.M.Anbunithi, learned Additional Public Prosecutor accepts notice for the respondents 1 and 2 and would submit that injured was discharged from the Hospital and no previous case is pending against the petitioners. The third respondent is the de-facto complainant and the fourth respondent is the victim.

4.Since the prayer itself is to accept the surrender of the petitioners and consider the bail application and also considering the submission of the learned Additional Public Prosecutor, this Court is inclined to pass the following orders :-

1) The petitioners should appear before the learned Additional District & Sessions Court for exclusive trial of PCR Act Cases, Sivagangai within a period of 15 days from the date of receipt of a copy of this order / uploading of the order.

2) On such surrender, concerned Judge, may consider the bail application filed by the petitioners on merits on the same day of surrender, after giving notice to the concerned Public Prosecutor and complying with Section 15 (5) of the Act.

5.With the above observation, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (P&A)

// 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 Additional District & Sessions Court for
exclusive trial of PCR Act Cases,
Sivagangai.

2.The Deputy Superintendent of Police,
Devakottai Circle,
Sivagangai District.

3.The Inspector of Police,
Devakottai Taluk Police Station,
Sivagangai District.

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

Crl.O.P. (MD)No.12434 of 2021
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PS (CO)
SB(09.09.2021) 3P 5C