



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.09.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVA**

Crl.O.P.(MD)No.12553 of 2021

WEB COPY

1. Selvam
 2. Thinakaran
 3. Indhiyan
 4. Maniraj
- ... Petitioners/Accused No.1 to 4

Vs.

State Rep. by

1. The Deputy Superintendent of Police,
Melur Sub Division,
Madurai District.

2. The Inspector of Police,
Kottampatti Police Station,
Madurai District.
(In Crime No.231 of 2021)

3. Nagarajan

4. Jeganathan

5. Sabarinathan
- ... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the III Additional District Judge (PCR cases), Madurai District to consider the bail application of the petitioners to be filed in Crime No.231/2021 on the file of the second respondent Police and to accept their surrender on the same day on merits.

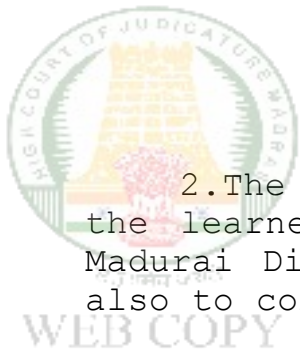
For Petitioners : Mr.R.Balamuruganantham

For R-1 and R-2 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

The petitioners are the Accused Nos.1 to 4 in Crime No.231 of 2021 on the file of Kottaipatti Police Station, Madurai District and the offences alleged against the accused are under Sections 147, 148, 294(b), 323, 324, 341, 427, 506(ii) of I.P.C., r/w Section 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST (POA) Act, 2015

Act.



2.The present petition filed by the petitioners is to direct the learned III Additional District Judge (PCR Cases), Madurai, Madurai District, to accept the surrender of the petitioners and also to consider the bail application on the same day.

3.Mr.R.M.Anbunithi, learned Additional Public Prosecutor (Crl. Side), appearing for the respondents 1 and 2, on instructions, submitted that the first petitioner has been arrested and remanded to the judicial custody. Hence, the petition by the first petitioner may be dismissed as infructuous.

4.Considering the facts and circumstances of the case, Since the prayer itself is to accept the surrender and consider the bail application, this Court is inclined to pass the following orders as against the petitioners 2 to 4:-

1) The petitioners 2 to 4 should appear before the learned III Additional District Judge (PCR Cases), Madurai, within a period of 15 days, from the date of receipt of a copy of this order;

2) On such surrender, concerned Sessions Judge, may consider the bail application filed by the petitioners 2 to 4 on merits on the same day of surrender, after giving notice to the concerned Additional Public Prosecutor and by complying Section 15(5) of the Act.

5. Since the first petitioner was arrested and remanded to judicial custody, this petition stands dismissed as infructuous as against him. As far as, the petitioners 2 to 4 are concerned, this petition is disposed of as against them.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

kmm

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.

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



To

1. The III Additional District Judge (PCR Cases),
Madurai.
2. The Deputy Superintendent of Police,
Melur Sub Division,
Madurai District.
3. The Inspector of Police,
Kottaipatti Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD)No.12553 of 2021
09.09.2021

RK (25/10/2021) 3P 5C