



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE G. ILANGO VAN

Crl.O.P. (MD)No.13519 of 2021

1. Sivankalai
 2. Pandiyammal
 3. Selvi @ Kalaiselvi
 4. Kanmani @ Kanimozhi
- ...Petitioners/Accused No.1 to 4

Vs.

1. State Rep. By
The Deputy Superintendent of Police,
Thirumangalam Sub Division
Madurai District.
 2. The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.
(Crime No. 351 of 2021)
 3. Kutty Kamatchi
- ...Respondents

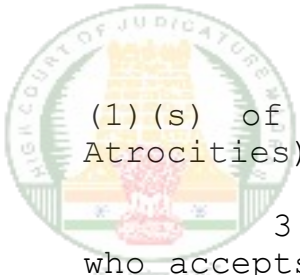
PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the Learned III Additional District and Sessions judge (PCR) Court, Madurai to accept their surrender and to consider bail application to be filed by them on same day on merits in Crime No. 351 of 2021 on the file of 2nd Respondent police.

For Petitioners : Mr.S.Prabhu
For R1 and R2 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This petition has been filed to direct the Learned III Additional District and Sessions judge (PCR) Court, Madurai to accept their surrender and to consider bail application to be filed by them on same day on merits in Crime No. 351 of 2021 on the file of 2nd Respondent police.

2. The petitioners are the accused in Crime No.351 of 2021, on the file of the second respondent for the offences punishable under Sections 294(b), 341, 506(i) of IPC, 3(1)(r) and 3



(1)(s) of Schedule Caste and the Schedule Tribes (Prevention of Atrocities) Amendment Act 2015.

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 petitioners and the injured has been 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 petitioners shall appear before the learned III Additional District and Sessions judge (PCR) Court, Madurai, 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 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.

5. Accordingly, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tta

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 III Additional District and Sessions judge (PCR) Court,
Madurai.

2.The Deputy Superintendent of Police,
Thirumangalam Sub Division
Madurai District.



3.The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.

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

Crl.O.P. (MD) No.13519 of 2021
15.09.2021

GC (20.09.2021) 3P 5C