



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.13553 of 2021

WEB COPY

1. Arputharaj
2. Kanagaraj
3. Alagusundaram @ Shanmugasundaram
4. Murugan @ Murugesan
5. Madakkan

...Petitioner / Accused
(Rank not Known)

Vs

1. The Deputy Superintendent of Police,
Nanguneri,
Tirunelveli District.
2. The Inspector of Police,
Vijayanarayanam Police Station,
Tirunelveli District.
(Crime No.112/2021)
3. Mr. Kaptain Pirabakaran

...Respondents 1 & 2/
Complainants
...Respondent 3/Defacto -
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the learned II Additional District and Sessions Judge (PCR) Court, Tirunelveli to accept the surrender of the petitioners and to consider the bail application to be filed by the petitioners on the same day in Cr. No. 112 of 2021 on the file of the 2nd respondent police.

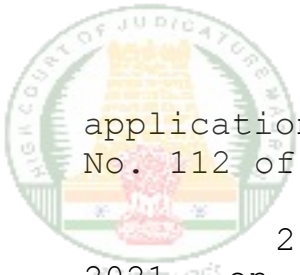
For Petitioners : Mr.T.A.Ebenezer

For R1 and R2 : Mr.R.M.Anbunithi

Additional Public Prosecutor
(Crl side)

ORDER

This petition has been filed to direct the learned II Additional District and Sessions Judge (PCR) Court, Tirunelveli to accept the surrender of the petitioners and to consider the bail



application to be filed by the petitioners on the same day in Cr. No. 112 of 2021 on the file of the 2nd respondent police.

2. The petitioners are the accused in Crime No.112 of 2021, on the file of the second respondent for the offences punishable under Sections 147, 294(b), 324, 506(ii) of IPC, 3(1)(r), 3(1)(s) and 3(2)(v) 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 II Additional District and Sessions Judge (PCR) Court, Tirunelveli, 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 ~~same as the original~~ copy, shall be the responsibility of the advocate/litigant concerned.



To

- 1.The II Additional District and Sessions Judge (PCR) Court,
Tirunelveli.
- 2.The Deputy Superintendent of Police,
Nanguneri,
Tirunelveli District.
- 3.The Inspector of Police,
Vijayanarayanam Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD) No.13553 of 2021
15.09.2021

NSN(CO)
SB(22.09.2021) 3P 5C