



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.13576 of 2021

WEB COPY
Mohanraj

... Petitioner/Sole Accused

Vs

1. The State represented by its,
The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police
Jeeyapuram,
Trichy District.

2. The Inspector of Police,
Somarasampet Police Station,
Trichy District.
(Crime No.715/2021)

... Respondents No.1 & 2/
Complainants

3. Rengasamy

... 3rd Respondent /Defacto -
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the Learned 1st Additional District and Sessions Judge (PCR) Court, Trichy to consider the bail application of the Petitioner on the same day of his surrender itself in Crime No. 715 of 2021 on the file of 2nd Respondent police.

For Petitioners : Mr.D.S.Haroon Rasheed

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

Additional Public Prosecutor

ORDER

This petition has been filed to direct the the Learned 1st Additional District and Sessions Judge (PCR) Court, Trichy to consider the bail application of the Petitioner on the same day of his surrender itself in Crime No. 715 of 2021 on the file of 2nd Respondent police.

2. The petitioner is the accused in Crime No.715 of 2021, on the file of the second respondent for the offences punishable under Sections 294(b), 323 of IPC, 3(1)(r), 3(1)(s) and 3(2) (va) of Schedule Caste and the Schedule Tribes (Prevention of Atrocities) Act 1989.

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

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 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 petitioner shall appear before the learned 1st Additional District and Sessions Judge (PCR) Court, Trichy, 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 (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 1st Additional District and Sessions Judge (PCR) Court,
Trichy.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police

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

Trichy District.



3.The Inspector of Police,
Somarasampet Police Station,
Trichy District.

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

CrI.O.P. (MD) No.13576 of 2021
15.09.2021

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