



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.10.2021

CORAM

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THE HONOURABLE MR. JUSTICE G.ILANGOVAN

Crl.O.P. (MD) .No.13945 of 2021

- 1.Muniyappan
- 2.Saravanan
- 3.Senthilkumar

.. Petitioners/ Accused Rank Not Known

Vs.

- 1.State represented by
The Deputy Superintendent of Police,
Karur Town,
Karur.

- 2.The Inspector of Police,
Velliyanai Police Station,
Velliyanai,
Karur district.

(In Crime No.386 of 2021) .. Respondent Nos.1&2/Complainant

- 3.Kowsik

.. Respondent No.3/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the Principal District and Sessions Judge, Karur to consider the bail application of the petitioners on the same day of their surrender before that court in connection with Crime No.386 of 2021 on the file of the 2nd respondent.

For Petitioners : Mr.K.Arunraj

For R1 & R2 : Mr.K.Sanjai Gandhi
Government Advocate (Crl. side)

ORDER

(This petition is heard through video conference)

This petition has been filed seeking a direction to the Principal District and Sessions Judge, Karur to consider the bail application of the petitioners on the same day of their surrender before that court in connection with Crime No.386 of 2021 on the file of the 2nd respondent.



2.The petitioners are the accused in Crime No.386 of 2021 on the file of the 2nd respondent police for the offences punishable under Sections 147, 294(b) and 323 of IPC, r/w Section 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

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3.Mr.K.Sanjai Gandhi, learned Government Advocate (Crl. Side) accepts notice for the respondents 1 and 2. He submitted that the previous cases against the petitioners ended in acquittal and as of now, no previous case is pending against the petitioners and the injured person has been discharged from the hospital.

4.Considering the facts and circumstances of the case, this Court is inclined to pass the following orders :-

1)The petitioners shall appear before the learned Principal District and Sessions Judge, Karur, 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.With the above observation, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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 Principal District and Sessions Judge, Karur.



2.The Deputy Superintendent of Police,
Karur Town, Karur.

3.The Inspector of Police, Velliyanai Police Station,
Velliyanai, Karur district.

Copy to

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

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