



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.09.2021

CORAM

THE HONOURABLE MR. JUSTICE G.ILANGOVAN

Cr1.O.P. (MD) .No.14061 of 2021

WEB COPY

- 1.Marimuthupandian
 - 2.Mariselvam
 - 3.Sankar Guru
 - 4.Karuppasamy
 - 5.Marimuthu
 - 6.Ganesan
- ... Petitioners/Accused 1, 3 & 5
- ... Petitioners/Accused Rank not known

Vs.

- 1.The Deputy Superintendent of Police,
Thoothukudi District,
Thoothukudi. ... 1st Respondent/Investigation Officer
- 2.The State,
Rep. by Inspector of Police,
Koppampatti Police Station,
Thoothukudi District.
(Crime No.229 of 2021) ... 2nd Respondent/Complainant
- 3.Murugesan ... 3rd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the learned Sessions Cum PCR Court, Thoothukudi to dispose the bail application filed by the petitioners on merits on the same day of their surrender before the above mentioned concerned Court in pending investigation of Crime No.229 of 2021, on the file of the respondent police.

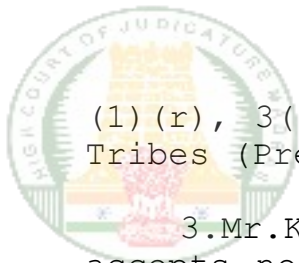
For Petitioner : Mr.G.Thalaimutharasu
For Respondents : Mr.K.Sanjai Gandhi
Government Advocate (Cr1. side)

ORDER

(This petition is heard through video conference)

This petition has been filed to direct the learned Sessions Cum PCR Court, Thoothukudi, to accept the surrender of the petitioners and consider the bail application on the date of their surrender in connection with Crime No.229 of 2021 on the file of the 2nd respondent Police.

2.The petitioners are the accused in Crime No.229 of 2021 on the file of the 2nd respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 506(ii) of I.P.C 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.

3.Mr.K.Sanjai Gandhi, learned Government Advocate, (Crl. Side) accepts notice for the respondents 1 and 2. He submitted that the third petitioner is concerned he has one previous case, similar in nature and so far as other petitioners are concerned, there are no previous case against them.

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 Sessions Judge, Sessions Cum PCR Court, Thoothukudi, 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 (CRL)

// 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 Sessions Judge, Sessions cum PCR Court,
Thoothukudi.



2.The Deputy Superintendent of Police,
Thoothukudi District,
Thoothukudi.

3.The Inspector of Police,
Koppampatti Police Station,
Thoothukudi District.

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

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NSN(CO)
SB(05.10.2021) 3P 5C