



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.15398 of 2021

Lakshmanan ... Petitioner/Accused No.4
Vs.

- 1.The Deputy Superintendent of Police,
Othakadai,
O/o. The Deputy Superintendent of Police-Othakadai,
Madurai District.
- 2.The Inspector of Police,
Othakadai Police Station,
Madurai District.
(Crime No.522 of 2021) ... Respondents 1 and 2/Complainants
- 3.Murugavel ... Third Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned III-Additional Sessions Judge (Special Court for SC/ST (POA) Act, 1989 Madurai, Madurai District, to consider the petitioner's bail application to be filed by the petitioner on the same on his surrender in connection with Crime No.522 of 2021 on the file of the second respondent police.

For Petitioner : Mr.D.Balamurugapandi
For R-1 and R-2 : Mr.RMS.Sethuraman
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the learned III-Additional Sessions Judge (Special Court for SC/ST (POA) Act, 1989 Madurai, Madurai District, to accept the surrender of the petitioner and consider the bail application on the date of surrender in connection with Crime No.522 of 2021 on the file of the second respondent Police.

2. The petitioner is the accused No.4 in Crime No.522 of 2021 on the file of the second respondent for the offences punishable under Sections 147, 148, 294(b), 323, 324 and 506(2) of I.P.C. and Section 3(1)(r), 3(1)(a) and 3(2)(va) of SC/ST (POA) Act, 2015.



3. Mr.RMS.Sethuraman, learned Additional Public Prosecutor accepts notice for the respondents 1 and 2. He submits that injured has been discharged from the hospital and the petitioner has no previous case.

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

1)The petitioner shall appear before the learned III-Additional Sessions Judge (Special Court for SC/ST (POA) Act, 1989 Madurai, Madurai District, 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. With the above observation, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

CM

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 learned III-Additional Sessions Judge
(Special Court for SC/ST (POA) Act, 1989 Madurai,
Madurai District

2.The Deputy Superintendent of Police,
Othakadai,
O/o. The Deputy Superintendent of Police-Othakadai,
Madurai District.

3.The Inspector of Police,
Othakadai Police Station, Madurai District.



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

+1 CC to M/s.D.BALAMURUGAPANDI, Advocate (SR-31463[F] dated
07/10/2021)

Cr1.O.P. (MD) No.15398 of 2021

07.10.2021

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KMV (CO)

GC/UV(29.10.2021) 3P 6C