



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

Crl.O.P.(MD)No.14933 of 2021

WEB COPY

1.Ajay

2.Joshwa @ Joshva Ronald

3.Ranjith

4.Naveenkumar @ Naveen Kumar

... Petitioners/Accused 1 to 4

Vs.

1.The Deputy Superintendent of Police,
Sivagangai,
Sivagangai District.

2.The Inspector of Police,
Elaiyangudi Police Station,
Sivagangai District.

... Respondents 1 & 2/Complainant

3.Sankar

... Respondent 3/Defacto Complainant/Victim

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Additional District and Sessions Court for the exclusive trial of PCR Act Cases, Sivagangai District to accept the petitioners surrender in connection with Crime No.402 of 2021, on the file of the second respondent and consider their bail application on the same day in accordance with law.

For Petitioners : Mr.C.Senthil Murugan

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 Judge, Additional District and Sessions Court for the exclusive trial of PCR Act Cases, Sivagangai District, to accept the petitioners surrender in connection with Crime No.402 of 2021, on the file of the second respondent and consider their bail application on the same day in accordance with law.

2.The petitioners are the accused Nos.1 to 4 in Crime No.402 of 2021, on the file of the second respondent for the offences punishable under Sections 147, 341, 294(b), 323 & 506(ii) IPC and Sections 3(i)(r) & 3(i)(s) of SC/ST (POA) Amendment Act 2015.

3.Mr.RMS.Sethuraman, learned Additional Public Prosecutor accepts notice for the respondents 1 and 2. He submits that the injured person has taken treatment as outpatient only.



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 Judge, Additional District and Sessions Court for the exclusive trial of PCR Act Cases, Sivagangai 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 applications 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 (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vrn

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 Additional District and Sessions Court for
the exclusive trial of PCR Act Cases,
Sivagangai District
- 2.The Deputy Superintendent of Police,
Sivagangai,
Sivagangai District.
- 3.The Inspector of Police,
Elaiyangudi Police Station,
Sivagangai District.



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

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Cr1.O.P. (MD) No.14933 of 2021
04.10.2021

DJ(CO)/RS (13.10.2021) 3P 5C