



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P. (MD)No.15012 of 2021

WEB COPY

1.M.Marimuthukumar

2.P.Manimuthusamy

... Petitioners/Accused 1 & 2

Vs.

1.The Deputy Superintendent of Police,
Sankar Nagar,
Tirunelveli Disrtrict.

...1st Respondents

2.State rep by its
The Inspector of Police,
Tirunelveli Taluk Police Station,
Tirunelveli District.
(Crime No.318 of 2021)

...2nd Respondent/Complainant

3.Mr.Ravindra Kumar

...3rd Respondent/
Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned II Additional District Sessions Judge cum P.C.R. Court, Tirunelveli to consider the petitioners bail application and dispose the bail application on the same day in Crime No.318 of 2021, on the file of the second respondent.

For Petitioners : Mr.R.J.Karhthick
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 II Additional District Sessions Judge cum P.C.R. Court, Tirunelveli to consider the petitioners bail application and dispose the bail application on the same day in Crime No.318 of 2021, on the file of the second respondent.

2. The petitioners are the accused Nos.1 & 2 in Crime No.318 of 2021, on the file of the second respondent for the offences punishable under Sections 294(b), 323, 506(ii) IPC and Sections 3(i)(r), 3(i)(s) & 3(2)(va) of SC/ST (POA) Act 1989.

3. Mr.RMS.Sethuraman, learned Additional Public Prosecutor accepts notice for the respondents 1 and 2. He submits that the first accused is having one previous case for the offences punishable under Sections 279 IPC and the injured person was 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 petitioners shall appear before the II Additional District Sessions Judge cum P.C.R. Court, Tirunelveli, 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-I)

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/ /2021

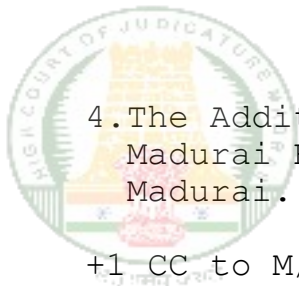
Sub Assistant Registrar(CS)

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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 II Additional District Sessions Judge cum P.C.R. Court,
Tirunelveli
- 2.The Deputy Superintendent of Police,
Sankar Nagar,
Tirunelveli District.
- 3.The Inspector of Police,
Tirunelveli Taluk Police Station,
Tirunelveli District.
(Crime No.318 of 2021)



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

+1 CC to M/s.R.J.KARTHICK, Advocate (SR-31118[F] dated 04/10/2021)

Crl.O.P. (MD)No.15012 of 2021

04.10.2021

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