



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.10.2021

CORAM:

THE HONOURABLE MRS.JUSTICE S.ANANTHI

Crl.O.P. (MD)No.15777 of 2021

Hariharan @ Akash

... Petitioner Accused No.3

Vs.

- 1.State Represented by,
The Deputy Superintendent of Police,
Melur Sub-Division,
Madurai District. ... 1st Respondent/Investigating Officer
- 2.The Inspector of Police,
Melur Police Station,
Melur,
Madurai District.
(Crime No.609 of 2021) ... 2nd Respondent/Complainant
- 3.Kannaiah Prabhu ... 3rd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Learned III Additional District and Sessions Judge (PCR), Madurai, Madurai District to consider and dispose of the bail application filed by the petitioner in Crime No.609 of 2021 on the file of the second respondent herein on the same day of his surrender.

For Petitioner : Mr.R.Ilayaraja
For Respondents : Mr..Antony Sahaya Prabahar
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the learned III Additional District and Sessions Judge (PCR), Madurai, Madurai District to consider and dispose of the bail application filed by the petitioner in Crime No.609 of 2021 on the file of the second respondent herein on the same day of his surrender.

2.The petitioner is the sole accused in Crime No.609 of 2021 on the file of the 2nd respondent police for the offences punishable under Sections 147, 148, 294(b), 324, 506(ii) 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.

3.Mr.E.Antony Sahaya Prabahar, learned Additional Public Prosecutor accepts notice for the respondents 1 and 2. He submitted that no previous case is pending against the petitioner 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 petitioner shall appear before the learned III Additional District and Sessions Judge (PCR), 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.

6.With the above observation, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (Per.Admn)/
Vacation Officer

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM/NSR

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 III Additional District and Sessions Judge (PCR), Madurai.
- 2.The Deputy Superintendent of Police,
Melur Sub-Division, Madurai District.
- 3.The Inspector of Police,
Melur Police Station,
Melur, Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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