



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G. ILANGO VAN**

Crl.O.P.(MD)No.16738 of 2021

Nageshwaran @ Nageswaran

... Petitioner/Accused No.6

Vs .

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

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

... Respondents 1 & 2/Complainants

3.Sankar

4.Selvaraj ... 3rd & 4th Respondents/Defacto Complainants/Victims

PRAYER: Criminal Original Petition 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 petitioner's surrender in connection with Crime No.402 of 2021, on the file of the second respondent and consider his bail application on the same day in accordance with law.

For Petitioner	: 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 Additional District and Sessions Court for the exclusive trial of PCR Act Cases, Sivagangai District to accept the petitioner's surrender in connection with Crime No.402 of 2021, on the file of the second respondent and consider his bail application on the same day in accordance with law.

2.The petitioner is the sixth accused 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(2) 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 no previous case is pending against the petitioner 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 petitioner shall appear before the learned 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 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.Accordingly, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (A.D II)

// 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.

+1 CC to M/s.C.SENTHILMURUGAN, Advocate (SR-33634[F] dated
02/11/2021)

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PS (CO)

RS/UV (10.11.2021) 3P 6C