



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.11.2021

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGOVAN

Crl.O.P. (MD)No.16925 of 2021

Rajesh @ Rajesh Aathi Nathan ... Petitioner/Sole Accused
vs.

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

2.The State through the Inspector of Police,
Srivaikundam Police Station,
Thoothukudi District.

(Under Crime No.299 of 2021)

... 1st & 2nd Respondents/
Complainants

3.Lakshmana Perumal

... 3rd Respondent/
Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the Additional District and Sessions Court for the exclusive trial of PCR cases, Thoothukudi to consider the petitioner's bail application on the same day of arrest or upon his surrender under Crime No.299 of 2021, on the file of the respondent Police.

For Petitioner
For Respondents

: Mr.K.R. Laxman
: Mr.RMS.Sethuraman
Additional Public Prosecutor

ORDER

This petition has been filed to direct the learned Additional District and Sessions Judge for the exclusive trial of PCR cases, Thoothukudi to consider the petitioner's bail application on the same day of arrest or upon his surrender under Crime No.299 of 2021, on the file of the respondent Police.

2. The petitioner is the sole accused Crime No.299 of 2021, on the file of the second respondent for the offences punishable under Sections 341, 294(b) and 323 IPC r/w. Section 3(1)(r) & 3(1)(s) of SC/ST (Prevention of Atrocities), Act 1989.

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.



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 Additional District and Sessions Court for the exclusive trial of PCR cases, Thoothukudi, 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 (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

trp

To

1.The Additional District and Sessions Court
for the exclusive trial of PCR cases,
Thoothukudi

2.The Deputy Superintendent of Police,
Thoothukudi District, Thoothukudi.

3.The Inspector of Police,
Srivaikundam Police Station,
Thoothukudi District.

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

+1 CC to M/s.K.R.LAXMAN, Advocate (SR-33503[F] dated 01/11/2021)

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SMV (CO)

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