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Cr1.O.P.(MD)No.17503 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cr1.O.P (MD)No.17503 of 2021

1.Sakthi

2.Muthu

... Petitioners/Accused Nos.1 & 4

Vs

State Rep. by

1.The Deputy Superintendent of Police,
Usilampatti Sub Division,
Madurai District.

2.The Inspector of Police,
Elumalai Police Station,
Madurai District.

(in Crime No.258 of 2021) ... Respondents No.1 & 2 /
complainants

3.Seenivasan

... Respondent No.3 / Defacto Complainant

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the III Additional District Judge (PCR Cases), Madurai, Madurai District to consider the bail application of the petitioners to be filed in Crime No.258 of 2021 on the file of the second respondent police and to accept their surrender on the same day on merits.

For Petitioners : Mr.R.Balamuruganantham
For R1 & R2 : Mr.M.Veeranthiran
Government Advocate

ORDER

Heard the learned counsel for the petitioners and the learned Government Advocate for the respondents 1 and 2.

2. Considering the nature of relief to be granted, notice to the defacto complainant is dispensed with.

3. The petitioners are figuring as accused Nos.1&4 in Crime No.258 of 2021 registered on the file of the second respondent for the offences under Sections 147, 294(b), 506(i) of IPC r/w Sections 3(1)(r) and 3(1)(s) of Scheduled Caste and Scheduled Tribes



(Prevention of Atrocities) Act.

4. After going through the contents of the FIR, I am of the view that it is a case fit for grant of relief under Section 482 of Cr.P.C., The petitioners undertake to surrender before the jurisdictional Court on 22.11.2021. The petitioners' surrender shall be accepted by the jurisdictional Court and their petition for bail shall be disposed of on the same day. The petitioners' counsel gives an undertaking that the defacto complainant will be notified about the proposed surrender of the petitioners on 22.11.2021. Such an intimation will be sent through registered post by tomorrow itself. The respondents 1 and 2 are also directed to give notice of hearing to the third respondent.

5. This Criminal Original Petition is disposed of with the following directions:-

(1) the petitioners shall surrender before the jurisdictional Court on 22.11.2021.

(2) the jurisdictional Court shall accept the surrender and dispose of the petitioners' bail petition on the same day of surrender on merits and in accordance with law.

Sd/-

Assistant Registrar(AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmi

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 Judge (PCR Cases),
Madurai, Madurai District.

2.The Deputy Superintendent of Police,
Usilampatti Sub Division,
Madurai District.

3.The Inspector of Police,
Elumalai Police Station,
Madurai District.



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

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TR/PM(12.11.2021) 3P 5C