



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.12.2021

CORAM:

THE HONOURABLE MRS.JUSTICE S.ANANTHI

Crl.O.P. (MD)No.20988 of 2021

Amithalingam

: Petitioner/Sole Accused

Vs.

1.The Deputy Superintendent of Police,
Orathanadu Police Station Division,
Thanjavur District.

2.The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.
(Crime No.1124 of 2021.)

: Respondents/Complainants

3.Selvarani

: 3rd Respondent/
Defacto complainant/Victim

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the I Additional District and Sessions Judge (PCR) Court, Thanjavur to consider the bail application to be filed by the petitioner on the same day on his surrender in connection with Crime No.1124 of 2021 on the file of the 2nd respondent.

For Petitioner : Mr.Arunprasad, A.
For R-1 and R-2 : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor.

O R D E R

The Criminal Original Petition has been filed to direct the learned I Additional District and Sessions Judge (PCR) Court, Thanjavur to consider the bail application to be filed by the petitioner on the same day on his surrender in connection with Crime No.1124 of 2021 on the file of the 2nd respondent.

2. The petitioner is the accused in Crime No.1124 of 2021, on the file of the second respondent for the offences punishable under Sections 294(b), 429, 355 IPC r/w Section 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST (POA) Amendment Act 2015.

3.Mr.E.Antony Sahaya Prabahar, learned Additional Public Prosecutor, who accepts notice for the respondents 1 and 2 would submit that no injury was sustained by any person.

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

service to be provided to the respondents on the following conditions:-



1)The petitioner shall appear before the learned
I Additional District and Sessions Judge (PCR)
Court, Thanjavur, 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/-

Vacation Officer/
Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

das

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 Ist Additional District and Sessions Judge,
(PCR) Court, Thanjavur,

2.The Deputy Superintendent of Police,
Orathanadu Police Station Division,
Thanjavur District.

3.The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.

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

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PS (CO)

GC(30.12.2021) 2P 5C