



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 29.12.2021**

**CORAM:**

**THE HONOURABLE MRS.JUSTICE S.ANANTHI**

**Crl.O.P. (MD)No.21077 of 2021**

Varathan

: Petitioner/Sole Accused

Vs.

1.The Deputy Superintendent of Police,  
Lalgudi, Trichy District.

2.The Inspector of Police,  
Samayapuram Police Station,  
Trichy District.  
(Crime No.491 of 2021.)

: Respondents/Complainants

3.Maheshkumar

: 3<sup>rd</sup> Respondent/  
Defacto Complainant

**PRAYER** : Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the learned I Additional District & Sessions Judge (PCR Cases), Trichy to consider his bail application on the same day of his surrender in respect of Crime No.491 of 2021 on the file of the second respondent.

For Petitioner : Mr.Sivabalan, K.  
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 Session Judge (PCR Cases), Trichy to consider the petitioner's bail application on the same day of his surrender in respect of Crime No.491 of 2021 on the file of the second respondent.

2. The petitioner is accused in Crime No.491 of 2021, on the file of the second respondent for the offences punishable under Sections 448, 294(b), 506(ii) IPC and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST (POA) Act, 1989.

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 per the following conditions:-



1)The petitioner shall appear before the learned Judge, I Additional District & Session Court (PCR Cases), Trichy, within a period of 15 days from the date of receipt of a copy of this order.

WEB COPY

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)

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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 Judge,  
I<sup>st</sup> Additional District & Sessions Court, (PCR Cases),  
Trichy

2.The Deputy Superintendent of Police,  
Lalgudi, Trichy District.

3.The Inspector of Police,  
Samayapuram Police Station,  
Trichy District.

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

Crl.O.P. (MD)No.21077 of 2021  
29.12.2021

DJ PS (CO)

<https://hccs.court.gov.in/cases/5C>