



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD) No.188 of 2022

Kalaiselvan

... Petitioner/ Accused No.4

Vs

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

2.The Inspector of Police,
Ulagampatti Police Station,
Trichy District.
(Crime No.223 of 2021)

... Respondents/ Complainant

3.Selvaraj

...3rd Respondent/
Defacto Complainant

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the Special Judge for SC/ST (Prevention of Atrocities) Act / 1st Additional District Judge (PCR Court), Trichy to consider the bail application of the petitioner on the same day of his surrender in Crime No.223 of 2021 on the file of the respondent police.

For Petitioner : Mr.A.Joel Paul Antony

For R1 & R2 : Mr.M.Sakthi Kumar
Government Advocate

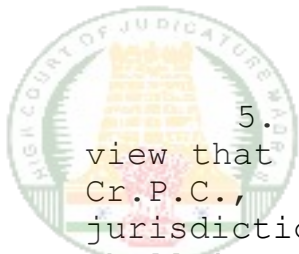
ORDER

Heard the learned counsel for the petitioner 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 petitioner is figuring as fourth accused in Crime No.223 of 2021 registered on the file of the second respondent for the offences under Sections 294(b), 323, 324 & 307 of IPC r/w Sections 3(1)(r), 3(1)(s) & 3(2)(v) of SC/ST Amendment Act, 2015.

4. It is seen that the primary allegations have been made only against the first accused. The petitioner is the fourth accused. There is no direct allegation against the petitioner herein.



5. 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 petitioner undertakes to surrender before the jurisdictional Court on 19.01.2022. The petitioner's surrender shall be accepted by the jurisdictional Court and his petition for bail shall be disposed of on the same day. The petitioner's counsel gives an undertaking that the defacto complainant will be notified about the proposed surrender of the petitioner on 19.01.2022. 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.

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

(1) the petitioner shall surrender before the jurisdictional Court on 19.01.2022.

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

Sd/-

Assistant Registrar ()

// True Copy //

07 /01 /2022

Sub Assistant Registrar(CS-II)

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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 1st Additional District Judge (PCR Court), Trichy.

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

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

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

Crl.O.P(MD)No.188 of 2022
06.01.2022

RD(7.01.2022) 2P 5C

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