



WEB COPY



Crl.O.P.(MD)No.15949 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P.(MD)No.15949 of 2022

1.Sankaranarayanan

2.Karunakaran

3.Petchimuthu @ Raj

... Petitioners/Accused 1 to 3

Vs.

1.State Through,

The Deputy Superintendent of Police,

Puliyankudi Sub Division,

Tenkasi District.

2.The Inspector of Police,

Puliyankudi Police Station,

Tenkasi District.

Crime No.371 of 2022.

... 1st and 2nd Respondents/Complainants

3.Marimuthu

... 3rd Respondent/De-facto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned II Additional Sessions Court (PCR Court), Tirunelveli to consider the petitioners bail applications on the same day of surrender in Crime No.371 of 2022, dated 29.08.2022 on the file of the second respondent police.

For Petitioners : Mr.K.Prabhu

For R-1 and R-2 : Mr.A.Albert James

Government Advocate (Crl. side)



WEB COPY

Crl.O.P.(MD)No.15949 of 2022



ORDER

This petition has been filed to direct the learned II Additional Sessions Court (PCR Court), Tirunelveli to consider the petitioners bail applications on the same day of surrender in Crime No.371 of 2022, dated 29.08.2022 on the file of the second respondent police.

2. The petitioners are the accused Nos.1 to 3 in Crime No. 371 of 2022, on the file of the second respondent for the offences punishable under Sections 294(b) and 506(i) IPC and Section 4 of TNPHW Act, 2002 and Sections 3(1)(r), 3(1)(s) and 3(1)(q) of SC/ST (POA) Amendment Act, 2015

3. Mr.A.Albert James, learned Government Advocate (Crl. side) accepts notice for the respondents 1 and 2. He submits that no previous case is pending against the petitioners.

4. Considering the facts and circumstances of the case and also taking into consideration the submission of the learned Government Advocate (Crl. side) this Court is inclined to allow the petition, as per the following conditions:-



WEB COPY



Crl.O.P.(MD)No.15949 of 2022

1)The petitioners shall appear before the learned II Additional Sessions Court (PCR Court), Tirunelveli, within a period of fifteen days from the date of receipt of a copy of this order.

2)On such surrender along with notice served to the de-facto complainant, the concerned Judge shall consider the bail applications filed by the petitioners and pass orders on merits on the same day of their surrender, after hearing the de-facto complainant by complying with Section 15A(5) of the Act.

5. Accordingly, this Criminal Original Petition is allowed.

09.09.2022

Index : Yes/No

Internet : Yes/No

sjj

Note : (i) **Issue order copy on 12.09.2022.**

(ii) 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.



WEB COPY



CrI.O.P.(MD)No.15949 of 2022

G.ILANGOVAN. J.

sjj/pnn

To

- 1.The II Additional Sessions Court (PCR Court), Tirunelveli.
- 2.The Deputy Superintendent of Police,
Puliyankudi Sub Division,
Tenkasi District.
- 3.The Inspector of Police,
Puliyankudi Police Station,
Tenkasi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P.(MD)No.15949 of 2022

09.09.2022