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Crl.O.P.(MD)No.16269 of 2022



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.09.2022**

CORAM:

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

Crl.O.P.(MD)No.16269 of 2022

Karuppasamy

.. Petitioner/2nd Accused

Vs.

1.The Deputy Superintendent of Police,
Sankarankovil,
Tenkasi District.

2.The Inspector of Police,
Chinnakovilankulam Police Station,
Tenkasi District.
(Crime No.121 of 2022)

... Respondents/Complainant

3.Marisamy

... 3rd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the II Additional District Court for PCR Act Cases, Tirunelveli to consider the petitioner's bail application on the same day of his surrender in Crime No.121 of 2022 on the file of the respondent police.

For Petitioners : Mr.S.Kasirajan

For Respondents : Mr.A.Albert James for R1 & R2
Government Advocate (Crl. Side)



ORDER

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This petition has been filed to direct the II Additional District Court for PCR Act Cases, Tirunelveli, to accept the surrender of the petitioner and consider the bail application on the date of his surrender in connection with Crime No.121 of 2022 on the file of the 2nd respondent Police.

2.The petitioner is the accused No.2 in Crime No.121 of 2022 on the file of the 2nd respondent police for the offences punishable under Sections 294(b), 323, 352 of IPC, r/w Section 3(1)(r), 3(1)(s) and 3(2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3.Mr.A.Albert James, learned Government Advocate (Crl. side) accepts notice for the respondents 1 and 2. He submitted that no previous case is pending against the petitioner and the defacto complainant, who sustained injuries was treated as out patient.

4.Considering the facts and circumstances of the case, this Court is inclined to pass the following orders :-

1)The petitioner shall appear before the II



Additional District Court for PCR Act Cases,
Tirunelveli, 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 their surrender, after hearing
the defacto complainant by complying with
Section 15A(5) of the Act.

5.With the above observation, this Criminal Original Petition is
disposed of.

12.09.2022

Index : Yes/No
Internet : Yes/No
TM

To

1.The II Additional District Judge, II Additional District Court for PCR
Act Cases, Tirunelveli .

2.The Deputy Superintendent of Police,
Sankarankovil,
Tenkasi District.

3.The Inspector of Police,
Chinnakovilankulam Police Station,
Tenkasi District.



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TM

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

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