



*CrI.O.P.(MD)No.16304 of 2022*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **12.09.2022**

CORAM:

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

**CrI.O.P.(MD)No.16304 of 2022**

Ganesan

.. Petitioner/Sole Accused

Vs.

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

2.The Inspector of Police,  
Sivagiri Police Station,  
Tenkasi District.  
(Crime No.316 of 2022)

... Respondents/Complainant

3.Kaniammal

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

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned II Additional District & Sessions Judge (PCR Court), Tirunelveli to consider the petitioner's bail application on the same day of his surrender on merits in relating to Crime No.316 of 2022 on the file of the 2<sup>nd</sup> respondent police.

For Petitioner : Mr.M.Jothi Basu

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



## **ORDER**

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This petition has been filed to direct the learned II Additional District & Sessions Judge, (PCR Court), Tirunelveli, to accept the surrender of the petitioner and consider the bail application on the date of his surrender in connection with Crime No.316 of 2022 on the file of the 2<sup>nd</sup> respondent Police.

2.The petitioner is the accused No.2 in Crime No.316 of 2022 on the file of the 2<sup>nd</sup> respondent police for the offences punishable under Sections 294(b), 323, 355 of IPC and Section 4 of TNPHW Act, r/w Section 3(1)(r) & 3(1)(s) 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 learned



II Additional District & Sessions Judge, PCR Court, 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 & Sessions Judge, PCR Court, Tirunelveli .
- 2.The Deputy Superintendent of Police,  
Puliyangudi,  
Tenkasi District.
- 3.The Inspector of Police,  
Sivagiri Police Station,  
Tenkasi District.



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**G.ILANGOVAN. J.**

TM

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

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