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Crl.O.P.(MD)No.17964 of 2022



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.10.2022

CORAM:

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.(MD)No.17964 of 2022

1.S.A.Jeyachandran
2.Balaji

Petitioners/Accused
1 & 2

Vs.

1.State through
The Deputy Superintendent of Police,
Madurai District.

2.The Inspector of Police,
Silaiman Police Station,
Madurai District.
(Crime No.351/2022)

..Respondents 1 & 2/
Complainants

3.Chandran

...Respondent 3/
Defacto complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned III Additional District and Sessions Judge (PCR Court), Madurai to consider the petitioners bail applications on the same of surrender in Crime No.351 of 2022, dated 01.10.2022, on the file of the second respondent police.

For Petitioners : Mr.K.Jeyamohan
For R-1 and R-2 : Mr.A.Albert James
Government Advocate (Crl side)



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ORDER

This petition has been filed to direct the III Additional District and Sessions Judge (PCR Court), Madurai to consider the bail applications of the petitioners, in connection with Crime No.351 of 2022, dated 01.10.2022 and to dispose of the same on the same day of their surrender itself.

2. The petitioners are the accused Nos.1 & 2 in Crime No.351 of 2022, on the file of the second respondent for the offences punishable under Sections 294(b), 406, 420, 506(ii) of IPC r/w 3(1) (r) & 3(1)(s) of SC/ST (Prevention of Atrocities) Act 1989.

3. Mr.A.Albert James, Government Advocate (Crl side), who accepts notice for the respondents 1 and 2 submits that similar complaint for the same occurrence filed before the Tallakulam Police Station has been closed on 16.03.2019 and this is the second complaint.



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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:-

1)The petitioners shall appear before the learned III Additional District and Sessions Judge (PCR Court), Madurai 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 applications filed by the petitioners and pass orders on merits on the same day of their surrender, after hearing the defacto complainant by complying with Section 15(5) of the Act.

5. Accordingly, this Criminal Original Petition is allowed.

07.10.2022

Index : Yes/No
Internet : Yes/No
vrn/lr



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- To
- 1.The III Additional District and Sessions Judge (PCR Court),
Madurai
 - 2.The Deputy Superintendent of Police,
Madurai District.
 - 3.The Inspector of Police,
Silaiman Police Station,
Madurai District.
(Crime No.351/2022)
 - 4.The Government Advocate (Crl.Side),
Madurai Bench of Madras High Court,
Madurai.



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T.V.THAMILSELVI, J.

vrn/lr

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