



CrI.O.P.(MD) No.20399 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2022

CORAM:

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

CrI.O.P.(MD) No.20399 of 2022

1. Balamurugan,

2. Manikandan,

: Petitioners

Vs

State Represented by

1. The Deputy Superintendent Of Police,
Tuticorin, Tuticorin District

2. The Inspector of Police,
Kadalkudi Police Station,
Tuticorin District.
(Crime No.37/2022

3. Chinna Alagumalai,

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to direct the Special Court, PCR Act Cases, Tuticorin to consider the bail application on his surrender on the same day, if any petition filed by the Petitioner in Crime No.37/2022, on the file of 2nd Respondent.



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For Petitioners : Mr.M.Jerin Mathew
For R1 and R2 : Mr.R.Suresh Kumar
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed for a direction to direct the Special Court, PCR Act Cases, Tuticorin, to consider the petitioners' bail application on the same day of their surrender in Crime No. 37/2022, on the file of the second respondent police.

2.The petitioners are the accused Nos.1 and 2 in Crime No.37 of 2022 on the file of the 2nd respondent police for the offences punishable under Sections 294(b), 323, 506(1) 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.R.Suresh Kumar, learned Government Advocate (Crl. side) accepts notice for the respondents 1 and 2. He submitted that in this case, injured was discharged from the hospital.



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

1)The petitioners shall appear before the Special Court, PCR Act Cases, Tuticorin, 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 petitioners 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.

18.11.2022

Internet:Yes
Index:Yes/No

PNM

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Note: ***Issue order copy on 21.11.2022***

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To

1. The Special Court, PCR Act Cases,
Tuticorin.
2. The Deputy Superintendent Of Police,
Tuticorin, Tuticorin District
3. The Inspector of Police,
Kadalkudi Police Station,
Tuticorin District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN, J.

PNM

ORDER IN
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