



Crl.O.P(MD)No.22700 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :22.12.2022

CORAM

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

Crl.O.P(MD)No.22700 of 2022

1.Rajeshkannan

2.S.Karthikeyan

3.Subramanian @ subramani

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Nanguneri,
Tirunelveli District.

2.The Inspector of Police,
Moondradaippu Police Station,
Tirunelveli District.

3.Suriya

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the learned II Additional Sessions Judge (PCR Act Cases) Tirunelveli to consider the bail application on their surrender on the same day, if any petition filed by the petitioners in Crime No.114 of 2022 on the file of the second respondent.



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For Petitioner : Mr.C.Susi Kumar
For R1 and R2 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

The petitioners are the Accused Nos.4 to 6 in Crime No.114 of 2022 on the file of the second respondent police, for the offences alleged against the accused are under Sections 147, 341, 294(b), 323, 506(i) of IPC and sections 3(1)(r), 3(1)(s), 3(2) (va) of SC/ST (POA) Act, 2015.

2. The present petition filed by the petitioners seeking orders to direct the learned II Additional Sessions Judge (PCR Act Cases) Tirunelveli, to accept the surrender of the petitioners and consider their bail application on the same day on merits in relating to Crime No.114 of 2022 on the file of the second respondent police.

3. Mr.E.Antony Sahaya Prabhar, learned Additional Public Prosecutor (Crl. Side) accepts notice for the respondents 1 and 2. The third respondent is the de-facto complainant.



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4.The learned Additional Public Prosecutor appearing for the respondents 1 and 2 submitted that the injured has been discharged from the hospital and the second petitioner is having two previous cases to his credit.

5. Since the prayer itself is to accept the surrender of the petitioners and consider the bail application, this Court is inclined to pass the following orders :-

1) The petitioners should appear before the learned II Additional Sessions Judge(PCR Act Cases) Tirunelveli, within a period of 15 days, *and*

2) On such surrender, concerned Sessions Judge, may consider the bail application filed by the petitioners on merits on the same day of surrender, after giving notice to the concerned Public Prosecutor and by complying Section 15A(5) of the Act. It is needless to say that the Court below while disposing the bail petition shall look into the gravity of the offence, previous antecedents of the petitioners and pass orders.



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With the above observation, this Criminal Original Petition is disposed

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of.

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Index: Yes/No
Internet: Yes/No
tta

To:

- 1.The Deputy Superintendent of Police,
Nanguneri,
Tirunelveli District.
- 2.The Inspector of Police,
Moondradaippu Police Station,
Tirunelveli District.



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G.ILANGO VAN. J.

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