



Crl.O.P(MD)No.22829 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.22829 of 2022

Sivaramaprabu

... Petitioner

Vs.

**1.The Deputy Superintendent of Police,
Othakadai,
Madurai District.**

**2.The State represented through,
The Sub-Inspector of Police,
Appanthiruppathi Police Station,
Madurai District.**

3.M.Renuka Devi.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the III Additional District and Sessions Court(PCR Act Cases), Madurai to consider the petitioner's bail application on the date of his surrender in respect of Crime No.138 of 2022 on the file of the second respondent police and grant the same on the very same day.



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Crl.O.P(MD)No.22829 of 2022

For Petitioner : Mr.M.Kaliraj
For R1 and R2 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

The petitioner is the accused in Crime No.138 of 2022 on the file of the second respondent police, for the offences alleged against the accused is under Sections 147, 148, 448, 323 and 324 and sections 3(1)(r), 3(1)(s), 3(2) (va) of SC/ST (POA) Act.

2. The present petition filed by the petitioner seeking orders to direct the III Additional District and Sessions Court(PCR Act Cases), Madurai, to accept the surrender of the petitioner and consider his bail application on the same day on merits in relating to Crime No.138 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 defacto complainant.



CrI.O.P(MD)No.22829 of 2022

WEB COPY

4. The learned Additional Public Prosecutor appearing for the respondents 1 and 2 submitted that the injured has been discharged from the hospital and no previous case is pending against the petitioner.

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

1) The petitioner should appear before the III Additional District and Sessions Court (PCR Act Cases), Madurai, within a period of 15 days from the date of receipt of copy of this order, *and*

2) On such surrender, concerned Sessions Judge, may consider the bail application filed by the petitioner 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 petitioner and pass orders.



Crl.O.P(MD)No.22829 of 2022

With the above observation, this Criminal Original Petition is disposed

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of.

22.12.2022

Index: Yes/No
Internet: Yes/No
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To:

- 1.The Deputy Superintendent of Police,
Othakadai,
Madurai District.
- 2.The State represented through,
The Sub-Inspector of Police,
Appanthiruppathi Police Station,
Madurai District.



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Crl.O.P(MD)No.22829 of 2022

G.ILANGO VAN. J.

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Crl.O.P(MD)No.22829 of 2022

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