



WEB COPY

Crl.O.P.(MD)No.7377 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.04.2023**

CORAM:

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

Crl.O.P.(MD)No.7377 of 2023

1.Sakthi @ Sivasakthi

2.Lenin

3.Saran @ Saranraj

4.Vetri @ Vetrise lvan

5.Bala

6.Vishnu

... Petitioners/Accused Nos.3 to 8

Vs.

1.The Deputy Superintendent of Police,
Thiruppathur,
Sivagangai District.

2.State:

Rep. The Inspector of Police,
Singampunari Town Police Station,
Sivagangai District.

(Crime No.58 of 2023)

... Respondents/Complainants

3.Sekar

... 3rd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the learned Principal District and Sessions Judge (PCR Court), Sivagangai, to accept the surrender of the petitioners and



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consider their bail application on the same day on merit relating to Crime

No.58/2023 dt.08.04.2023.

For Petitioners : Mr.S.Ragaventhre

For Respondents : Mr.B.Nambiselvan for R1 & R2
Additional Public Prosecutor

ORDER

This petition has been filed to direct the learned Principal District and Sessions Judge (PCR Court), Sivagangai, to accept the surrender of the petitioners and consider the bail application on the date of their surrender in connection with Crime No. 58 of 2023 on the file of the 2nd respondent Police.

2.The petitioners are the accused persons in Crime No.58 of 2023 on the file of the 2nd respondent police for the offences punishable under Section 147, 294(b) [Though it was wrongly stated as 234(b) in the first page of FIR, in para No.12 of the FIR it was mentioned as 294(b)] 323, 324 of IPC r/w Section 4 of TNPHW Act and Sections 3(1)(r) & (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3.Mr.B.Nambiselvan, learned Additional Public Prosecutor,



accepts notice for the respondents 1 and 2. He would submit that injured person in this case has been discharged from the hospital.

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 learned Principal District and Sessions Judge (PCR Court), Sivagangai, 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(3) of the Act.

5.With the above observation, this Criminal Original Petition is disposed of.

20.04.2023

Index : Yes/No
Internet : Yes/No
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1. The Principal District and Sessions Judge (PCR Court), Sivagangai.
2. The Deputy Superintendent of Police,
Thiruppathur,
Sivagangai District.
3. The Inspector of Police,
Singampunari Town Police Station,
Sivagangai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

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