



WEB COPY

Crl.O.P.(MD)No.7876 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.04.2023**

CORAM:

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

Crl.O.P.(MD)No.7876 of 2023

Rajasekar

... Petitioner/Accused No.1

Vs.

1.The Deputy Superintendent of Police,
Kulachel,
Kanyakumari District.

2.The State represented by
The Inspector of Police,
Puthukadai Police Station,
Kanyakumari District.
(Crime No.88 of 2023)

...Respondent Nos. 1&2/
Complainant

3.Rajam

...3rd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned II Additional District Sessions Court, (SC/ST Act) (PCR Cases), Tirunelveli, to consider the surrender and bail application filed by the petitioners in Crime No.88 of 2023 pending on the file of the respondent police.



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

ORDER

This petition has been filed to direct the learned II Additional District Sessions Court, (SC/ST Act) (PCR Cases), Tirunelveli, to consider the surrender and bail application filed by the petitioners in Crime No.88 of 2023 pending on the file of the second respondent police.

2.The petitioners are the accused persons in Crime No.88 of 2023 on the file of the 2nd respondent police for the offences punishable under Section 294(b), 448, 427, 506(ii), 379 of IPC and Section 3(1)(r) and 3(1)(s) 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.

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



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1) The petitioners shall appear before the learned II Additional District Sessions Court, (SC/ST Act) (PCR Cases), Tirunelveli, 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.

27.04.2023

Index : Yes/No
Internet : Yes/No
Indu



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G.ILANGOVAN. J.

Indu

To

- 1.The II Additional District Sessions Court,
(SC/ST Act) (PCR Cases),
Tirunelveli.
- 2.The Deputy Superintendent of Police,
Kulachel,
Kanyakumari District.
- 3.The Inspector of Police,
Puthukadai Police Station,
Kanyakumari District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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