



WEB COPY

Crl.O.P.(MD)No.8485 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.05.2023

CORAM:

THE HONOURABLE MRS. JUSTICE R. THARANI

Crl.O.P.(MD)No.8485 of 2023

Yesudurai

... Petitioner/ Sole Accused

Vs.

1.The Deputy Superintendent of Police,
Alangulam,
Tenkasi District.

2.The Inspector of Police,
Surandai Police Station,
Tenkasi District.
(Crime No.70 of 2023)

3.Chinnathambi

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Learned IInd Additional District and Sessions Judge(Special Judge for PCR Cases) Tirunelveli to consider the petitioner bail application on the day of their surrender in Crime No.70 of 2023 on the file of the second respondent.

For Petitioner : Mr.C.M.Arumugam

For Respondents : Mr.S.Manikandan
Government Advocate (Crl.Side)
for R.1 & R.2



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ORDER

This petition has been filed to direct the Learned IInd Additional District and Sessions Judge(Special Judge for PCR Cases) Tirunelveli to consider the petitioner bail application on the day of their surrender in Crime No.70 of 2023 on the file of the second respondent.

2.The petitioner is the sole accused in Crime No.70 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 294(b), 323, 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 and Section 3(1)(r), 3(1)(s) and 3(2)(Va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2015.

3.Mr.S.Manikandan, learned Government Advocate (Crl.side), accepts notice for the respondents 1 and 2. He would further submit that the 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 :-



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- i) The petitioners shall appear before the learned IInd Additional District and Sessions Judge(Special Judge for PCR Cases) Tirunelveli within a period of 15 days from the date of receipt of a copy of this order.
- ii) The petitioner shall serve a notice to the defacto complainant three days prior to his surrender.
- iii) On such surrender along with notice served to the defacto complainant, the concerned Judge shall consider the bail application filed by the petitioner and pass orders on merits preferably on the same day of his 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.

04.05.2023

Index : Yes/No
Internet : Yes/No
NCC : Yes/No

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R. THARANI. J.

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To

- 1.The IInd Additional District and Sessions Judge (Special Judge for PCR Cases), Tirunelveli
- 2.The Deputy Superintendent of Police,
Alangulam,
Tenkasi District.
- 3.The Inspector of Police,
Surandai Police Station,
Tenkasi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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