



Crl.O.P.(MD)No.8499 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.8499 of 2023

1.Chinnamani @ Chinnamanikandan

2.Vanam @ Vanapetchi

3.Jeya

4.Sathiya

5.Sarath Deepan @ Sarathkumar

... Petitioners

Vs.

1.The State represented by
The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Samayanallur,
Madurai District.

2.The Inspector of Police,
Samayanallur Police Station,
Madurai District.
(Crime No.250 of 2022)

3.Panchavarnam

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Learned IIIrd Additional District and Sessions Judge (PCR Court), Madurai to consider the bail application of the petitioners on the same day of their surrender itself in Crime No.250 of 2022 on the file of the second respondent.



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

ORDER

This petition has been filed to direct the Learned IIIrd Additional District and Sessions Judge (PCR Court), Madurai to consider the bail application of the petitioners on the same day of their surrender itself in Crime No.250 of 2022 on the file of the second respondent.

2.The petitioners are the accused persons in Crime No.250 of 2022 on the file of the 2nd respondent police for the offences punishable under Section 147, 294(b), 323 of IPC and Section 4 of TNPHW Act read with Section 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3.Mr.S.Manikandan, learned Government Advocate (crl.side), accepts notice for the respondents 1 and 2. He would further submit than an absconding charge sheet has been filed against the petitioners and A1 is having one previous case.



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

- i) The petitioners shall appear before the learned IIIrd Additional District and Sessions Judge(PCR Court), Madurai, 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 IIIrd Additional District and Sessions Judge(PCR Court),
Madurai,
2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Samayanallur,
Madurai District.
- 3.The Inspector of Police,
Samayanallur Police Station,
Madurai District.
(Crime No.250 of 2022)
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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