



Crl.O.P.(MD)No.8540 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.8540 of 2023

1.Karuppu @ Karuppusamy

2.Oyyapitchai

3.Valarmathi

... Petitioners

Vs.

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

2.The Inspector of Police,
Melavalavu Police Station,
Madurai District.
(Crime No.110 of 2023)

3.Kumaran

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Principal District and Sessions Court (PCR Court), Madurai to consider the bail application to be filed by the petitioners on the same on merits which would be filed by the petitioners in Crime No. 110 of 2023 on the file of the respondent police.



Crl.O.P.(MD)No.8540 of 2023

For Petitioners : Mr.A.Arun Prasad

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

ORDER

This petition has been filed to direct the Principal District and Sessions Court (PCR Court), Madurai, to consider the bail application to be filed by the petitioners on the same on merits which would be filed by the petitioners in Crime No.110 of 2023 on the file of the respondent police.

2.The petitioners are the accused persons in Crime No.110 of 2023 on the file of the 2nd respondent police for the offences punishable under Section 294(b), 323, 324 of IPC r/w Section 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST (POA) Amendment Act, 2015.

3.Mr.S.Manikandan, learned Government Advocate (Crl.side), accepts notice for the respondents 1 and 2. He would further submitted that no previous case has been registered against the petitioners and the injured in this case was already discharged from the hospital.



Crl.O.P.(MD)No.8540 of 2023

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 Principal District and Sessions Court (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

pnn



Crl.O.P.(MD)No.8540 of 2023

R. THARANI. J.

pnn

To

- 1.The Principal District and Sessions Court (PCR Court), Madurai.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Melur,
Madurai District.
- 3.The Inspector of Police,
Melavalavu Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD)No.8540 of 2023

04.05.2023