



WEB COPY

Crl.O.P.(MD)No.9801 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.06.2023**

CORAM:

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

Crl.O.P.(MD)No.9801 of 2023

1.T.Azlan

2.S.Santhosh

... Petitioners/Accused Nos.1 & 2

Vs.

1.The State rep. by
The Deputy Superintendent of Police,
O/o. Melur Sub Division,
Melavalavu Police Station,
Madurai District.
(Crime No.130 of 2022)

2.The Inspector of Police,
Melavalavu Police Station,
Madurai District.
(Crime No.130 of 2022)

... Respondents/Complainants

3.S.Karippyee

... Respondent/Defacto Complainant

4.S.Rekha

... Respondent/Respondent

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the III Additional District and Sessions Court (PCR) Madurai, Madurai District to accept the surrender of the petitioners/ Accused No.1 and 2 and to consider the bail applications and grant bail



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on the date of surrender itself in Crime No.130 of 2023, dated 25.05.2023 on the file of the respondent No.2 Police.

For Petitioners : Mr.E.Marees Kumar

For Respondents : Mr.B.Nambiselvan for R1 & R2
Government Advocate (Crl. Side)

ORDER

This petition has been filed to direct the learned III Additional District and Sessions Judge, PCR Court, Madurai, Madurai District, to accept the surrender of the petitioners and consider the bail application on the date of their surrender in connection with Crime No. 130 of 2022 on the file of the 2nd respondent Police.

2.The petitioners are the accused persons in Crime No.130 of 2022 on the file of the 2nd respondent police for the offences punishable under Section 294(b), 323, 353 of IPC, Section 4 of TNPHW Act r/w Section 3(2)(Va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2015.

3.Mr.B.Nambiselvan, learned Additional Public Prosecutor, accepts notice for the respondents 1 and 2. He would further submit that serious allegation has been made against the second petitioner. That may



be taken into account while considering the bail application by the trial Court.

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 III Additional District and Sessions Judge, PCR Court, Madurai, Madurai District, 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.

07.06.2023

Index : Yes/No
Internet : Yes/No
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To

1. The III Additional District and Sessions Judge, PCR Court, Madurai,
Madurai District,
2. The Deputy Superintendent of Police,
O/o. Melur Sub Division,
Melavalavu Police Station,
Madurai District.
2. The Inspector of Police,
Melavalavu Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

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