



CrI.O.P.(MD)No.10289 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 14.06.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

CrI.O.P.(MD)No.10289 of 2023

Rajathi

...Petitioner

Vs.

1. The State rep. by the
Deputy Superintendent of Police,
Madurai District.

2.The Sub Inspector of Police,
Koodakovil Police Station,
Madurai District.
Crime No. 78 of 2023

3.Amuthua

.... Respondents

PRAYER: This Criminal original Petition is filed under Section 482 Cr.P.C., to direct the Special Court for PCR Cases, Madurai, accept the surrender of petitioner in connection with Crime No.78 of 2023, on the file of the 2nd respondent and consider the bail applications to be filed by her on the same day on merits and in accordance with law.



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For Petitioner : Mr. J.Krishnakumar

For Respondents 1 and 2 : Mr.B. Nambiselvan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the Special Court for PCR Cases, Madurai, accept the surrender of petitioner in connection with Crime No.78 of 2023, on the file of the 2nd respondent and consider the bail application to be filed by her on the same day on merits and in accordance with law.

2.The petitioner is the accused in Crime No.78 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections Sections 147, 148, 294(b), 323, 324, 427 IPC and 4 of TNPWH Act r/w. 3(1)(r), 3(1), (s), 3(2) (va) SC / ST POA Act, 1989.

3. Mr.B.Nambiselvan, learned Additional Public Prosecutor accepts notice for the respondents 1 and 2. He would further submit that that there is no previous case pending against the petitioner.



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

- 1)The petitioner shall appear before the Special Court for PCR Cases, Madurai, 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 petitioner and pass orders on merits on the same day of his surrender, after hearing the de facto complainant by complying with Section 15A(3) of the Act. The trial Court shall taken into consider the previous antecedents of the petitioner while passing orders on merits.
- 3) The Special Court may taken into account Section 427 IPC as alleged in the complaint at the time of hearing.

5.With the above observation, this Criminal Original Petition is disposed of.

14.06.2023

Index : Yes / No
Internet : Yes / No
trp



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To

1. Deputy Superintendent of Police,
Madurai District.
2. The Sub Inspector of Police,
Koodakovil Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVA, J

trp

Order made in
Crl.O.P.(MD)No.10289 of 2023

Dated :14.06.2023