



Crl.O.P.(MD)No.10188 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **12.06.2023**

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.10188 of 2023

Jayaseelan

...Petitioner

Vs.

1. The state rep. By
The Deputy Superintendent of Police,
Nanugneri Sub Division,
Tirunelveli District.

2. The Inspector of Police,
Eruvadi Police Station,
Tirunelveli District.
(Crime No.97/2023)

3.Suman

.... Respondents

PRAYER: This Criminal original Petition is filed under Section 482 Cr.P.C., for issuing a direction to the II Additional District and Sessions Court (Special Court for PCR), Tirunelveli to consider the bail application of the petitioner on the same day of his surrender in crime No.97 of 2023 on the file of the 2nd respondent police.



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For Petitioner : Mr.R. Ponkarthikeyan
For Respondents : Mr.B. Nambiselvan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the II Additional District and Sessions Court (Special Court for PCR), Tirunelveli to consider the bail application of the petitioner on the same day of his surrender in crime No.97 of 2023 on the file of the 2nd respondent police.

2.The petitioner is the accused in Crime No.97 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 341, 294(b), 324, 506(2) IPC @ 341, 294(b), 324, 506(2) IPC r/w. Section 3(1) (r), 3(1)(s), 3(2)(v)(a) of 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 the petitioner the injured was discharged from the hospital and it is a case of case and counter.



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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 II Additional District and Sessions Court (Special Court for PCR), Tirunelveli 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 defacto 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.

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

12.06.2023

Index : Yes / No
Internet : Yes / No
trp



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The Deputy Superintendent of Police,
Nanugneri Sub Division,
Tirunelveli District.

2. The Inspector of Police,
Eruvadi Police Station,
Tirunelveli District.
(Crime No.97/2023)

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.10188 of 2023

Dated :12.06.2023