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Crl.O.P.(MD)No.10339 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.06.2023**

CORAM:

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

Crl.O.P.(MD)No.10339 of 2023

Iyyappan

... Petitioner/Accused No.2

Vs.

1.The Deputy Superintendent of Police,
Keeranur,
Pudukkottai District.

2.State, represented by
The Inspector of Police,
Keeranur Police Station,
Pudukkottai District.

(Crime No.135 of 2023)

... 1st & 2nd Respondents/Complainants

3.Bashkar

... 3rd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Principal District Judge Cum PCR Court, Pudukkottai, to consider the Bail application of the Petitioners concerned in Crime No.135/2023 on the file of the Sub Inspector of Police, Keeranur Police Station, Pudukkottai District.

For Petitioners : Mr.M.Rajarajan

For Respondents : Mr.R.Suresh Kumar for R1 & R2
Government Advocate (Crl. Side)



ORDER

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This petition has been filed to direct the learned Principal District Judge (PCR Court), Pudukkottai, to accept the surrender of the Petitioner and consider the bail application on the date of his surrender in connection with Crime No. 135 of 2023 on the file of the 2nd respondent Police.

2.The Petitioner are the accused persons in Crime No.135 of 2023 on the file of the 2nd respondent police for the offences punishable under Section 294(b), 341, 323, 324, 506(ii) of IPC and Section 3(1)(r), 3(1)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

3.Mr.R.Suresh Kumar, learned Government Advocate (Crl. Side) accepts notice for the respondents 1 and 2.

4.Even though the learned Government Advocate (Crl. Side) would submit that the petitioner is having six previous cases, they are not similar in nature. Considering the previous antecedents, the earlier application filed by the petitioner was dismissed. To verify the status of the previous cases, the matter has been listed today. Today, the learned



Government Advocate (Crl. Side) would submit that out of the six previous cases, three cases have been disposed of and two more matters are pending. Considering the fact that the present occurrence has been taken place during the cultural event, this Court is inclined to entertain this petition.

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

- 1)The Petitioner shall appear before the learned Principal District Judge (PCR Court), Pudukkottai, 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.

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

26.06.2023



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Index : Yes/No

Internet : Yes/No

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To

- 1.The Principal District Judge (PCR Court), Pudukkottai
- 2.The Deputy Superintendent of Police,
Keeranur,
Pudukkottai District.
- 3.The Inspector of Police,
Keeranur Police Station,
Pudukkottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

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