



Crl.O.P.(MD)No.10120 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **09.06.2023**

CORAM:

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

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Mohana

... Petitioner/Accused No.2

Vs.

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

2. The Inspector of Police,
Elayangudi Police Station,
Sivagangai District.
Crime No. 178 of 2023.

... Respondents/Complainants

3. S.Saravanapandi

... 3rd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Special Court for PCR Cases, Sivagangai District to consider the bail application of the petitioner on the same day on merits in the event of their surrender in connection with Crime No. 178 of 2023 on the file of the respondent.

For petitioner : Mr.Parthiban.M.S

For Respondents : Mr.B.Nambiselvan
Additional Public Prosecutor



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ORDER

This petition has been filed to direct the learned Special Court for PCR Cases, Sivagangai District to consider the bail application of the petitioner on the same day on merits in the event of their surrender in connection with Crime No. 178 of 2023 on the file of the respondents.

2.The petitioner is the accused persons in Crime No.178 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 294(b), 323, 324, 427, 506(ii) of IPC and Section 3(1)(r), 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3.Mr.B.Nambiselvan, learned Additional Public Prosecutor, accepts notice for the respondents 1 and 2. He would further submitted that the accused has caused damaged worth about Rs.15,000/-

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 learned Special Court for PCR Cases, Sivagangai District, within a period of 15 days from the



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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 their surrender, after hearing the defacto complainant by complying with Section 15A(3) of the Act. The damage caused by this accused has to take into consideration by the learned Special Court for PCR Cases, Sivagangai District, at that time of passing orders.

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

09.06.2023

NCC:Yes/No

Index : Yes/No

Internet : Yes/No

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G.ILANGOVAN. J.

Indu

To

1. The learned Special Court for PCR Cases,
Sivagangai District.
2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Sivagangai District.
3. The Inspector of Police,
Elayangudi Police Station,
Sivagangai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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