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Crl.O.P.(MD)No.11136 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.06.2023**

CORAM:

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

Crl.O.P.(MD)No.11136 of 2023

1.V.Kumarasamy

2.S.Chandrabose

... Petitioners/Accused 1 & 2

Vs.

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

2.The Inspector of Police,
Panayapatti Police Station,
Pudukkottai District.

... Respondents/Complainants

3.Prakash

... Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned District and Sessions Judge (PCR Cases), Pudukkottai, to consider their bail application on the surrender of the Petitioners / Accused on the same day in connection with Crime No. 39/2023 Dated 15.06.2023 on the file of the respondent police on merits on the same day.



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For Petitioners : Mr.N.Rajarajan
For Respondents : Mr.B.Nambiselvan
Additional Public Prosecutor

ORDER

This petition has been filed seeking direction to the learned District and Sessions Judge (PCR Cases), Pudukottai, to accept the surrender of the Petitioners in connection with Crime No.39/2023 on the file of the 2nd Respondent Police on the same day of filing and to consider the Anticipatory Bail/ Bail petition filed by the petitioners on the same day of filing in accordance with law.

2.The petitioners are the accused persons in Crime No.39 of 2023 on the file of the 2nd respondent police for the offences punishable under Section 147, 341, 294(b), 323, 506(i) of IPC and under Sections 3(1)(r), 3(1)(s) & 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 submit that the 2nd accused is having three previous cases against him. He would further submit that there it is a case in counter case. In the counter case,



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anticipatory bail was granted to the accused persons, by the Principal District Judge, Pudukkottai, vide order passed in Crl.M.P.No.1985 of 2023. The above said occurrence has been taken place in the cultural events, which took place in Thirumayam.

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 District Judge, District and Sessions Judge (PCR Cases), 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 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.

22.06.2023

Index : Yes/No
Internet : Yes/No
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To

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- 1.The District and Sessions Judge (PCR Cases), Pudukottai.
- 2.The Deputy Superintendent of Police,
Ponnamaravathi,
Pudukkottai District.
- 3.The Inspector of Police,
Panayapatti 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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