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Crl.O.P.(MD)No.11787 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **30.06.2023**

CORAM:

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

Crl.O.P.(MD)No.11787 of 2023

Sundar

... Petitioner/Accused No.3

Vs.

The State rep. by its

1.The Deputy Superintendent of Police,
Srivilliputhur,
Virudhunagar District.

2.The Inspector of Police,
Watrap Police Station,
Virudhunagar District.
(Crime No.128 of 2023)

... Respondents 1 & 2 / Complainants

3.Ganesan

... 3rd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Additional Sessions Judge for PCR cases Srivilliputhur, Virudhunagar District to accept the surrender of the petitioner and to consider the bail application on the same day in accordance with law of his surrender in connection with Crime No.128 of 2023, on the file of the Inspector of Police, Watrap Police Station, Virudhunagar District.



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For petitioner : Mr.B.Jeyakumar

For Respondents : Mr.B.Nambiselvan for R1 & R2
Additional Public Prosecutor

ORDER

This petition has been filed seeking direction to the learned Additional Sessions Judge for PCR cases Srivilliputhur, Virudhunagar District, to accept the surrender of the petitioner in connection with Crime No.128 of 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 petitioner on the same day of filing in accordance with law.

2.The petitioner is the accused persons in Crime No.128 of 2023 on the file of the 2nd respondent police for the offences punishable under Section 294(b), 324 and 323 of IPC and under Sections 3(1)(r) & 3(1)(s) 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 further submit that the injured in this case has been discharged from the hospital and there is no previous antecedents 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 learned Additional Sessions Judge for PCR cases Srivilliputhur, Virudhunagar District, 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.

30.06.2023

Index : Yes/No
Internet : Yes/No
TM

To

1. The Additional Sessions Judge for PCR cases Srivilliputhur, Virudhunagar District.



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2.The Deputy Superintendent of Police,
Srivilliputhur,
Virudhunagar District.

3.The Inspector of Police,
Watrap Police Station,
Virudhunagar District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

TM

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