



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **04.10.2023**

CORAM:

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

Crl.O.P.(MD)No.17627 of 2023

1. E.Kamala

2. E.Aabesh @ Akash Lingeshwar ... Petitioners/Accused 1 and 2

Vs.

1. The Assistant Commissioner of Police,
Assistant Commissioner Office,
Contonment Range,
Trichy City.

2. The Inspector of Police,
Sessions Court Police Station,
Trichy City,
Crime No.440/2023.

...2nd Respondent/Complainant

3. Suresh

... 3rd Respondent/Defacto
Complainant/Victim

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 1st Additional District and Sessions Judge for PCR Cases, Tiruchirappalli, to accept the surrender of the petitioners and consider the bail application on the date of surrender in connection with Crime No.440/2023 on the file of the second respondent Police.



For Petitioners : Mr. Jameelarasu.B
For R1 and R2 : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl. Side)

ORDER

This petition has been filed to direct the 1st Additional District and Sessions Judge for PCR Cases, Tiruchirappalli, to accept the surrender of the petitioners and consider the bail application on the date of surrender in connection with Crime No.440 of 2023 on the file of the second respondent Police.

2.The petitioners are the accused persons in Crime No.440 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 294(b), 448 of IPC and Sections 3(1)(r) and 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3.Mr.M.Vaikkam Karunanithi, learned Government Advocate (Crl.Side), accepts notice for the respondents 1 and 2. He would further submit that no previous case is pending against the petitioner and he has no objection to allow this petition.



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 I Additional District and Sessions Judge for PCR Cases, Tiruchirappalli, 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.

04.10.2023

Index : Yes/No
Internet : Yes/No
NCC :Yes/No

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To

- 1.The 1st Additional District and Sessions Judge for PCR Cases,
Tiruchirappalli.
2. The Assistant Commissioner of Police,
Assistant Commissioner Office,
Contonment Range,
Trichy City.
3. The Inspector of Police,
Sessions Court Police Station,
Trichy City.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

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