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CrI.O.P.(MD)No.18309 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.10.2023**

CORAM:

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

CrI.O.P.(MD)No.18309 of 2023

S.Shanthi

... Petitioner/Accused No.2

Vs.

1.The Assistant Commissioner of Police,
Office of Assistant Commissioner of Police,
Junction Range,
Tirunelveli City,
Tirunelveli.

2.The Inspector of Police,
Central Crime Branch,
Tirunelveli City,
Tirunelveli District.
(Crime No.01/2022)

3.P.Perumbadaiyar

... Respondents/Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the II Additional II Additional District and Sessions Judge (PCR) Exclusive Court for SC/ST Cases, Tirunelveli, Tirunelveli District to accept the surrender of the petitioner and consider the bail application of the petitioner on the same day on merits in the event of her surrender in connection with S.C.No.105 of 2022 on the file of the II



Additional II Additional District and Sessions Judge (PCR) Exclusive
Court for SC/ST Cases Tirunelveli, Tirunelveli District.

For petitioner : Mr.Ka.Raamakrishnan
For Respondents : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl. Side)

ORDER

This petition has been filed seeking direction to the learned II Additional District and Sessions Judge, (PCR) Exclusive Court for SC/ST Cases, Tirunelveli, Tirunelveli District, to accept the surrender of the petitioner in connection with S.C.No.105 of 2022, on the file of the above said Court, 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.1 of 2022 on the file of the 2nd respondent police for the offences punishable under Sections 465, 467, 468, 420, 471 of IPC and under Sections 3(1)(g) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. After completing the investigation, now it was charge sheeted and pending on the file of the II Additional District and Sessions Judge, Tirunelveli in S.C.No.105 of 2022.



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3.Mr.M.Vaikkam Karunanithi, learned Government Advocate (Crl. Side), accepts notice for the respondents 1 and 2. He would further submit that no one has injured in this case and the petitioner is having no previous case.

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
II Additional District and Sessions Judge,
(PCR) Exclusive Court for SC/ST Cases,
Tirunelveli, Tirunelveli 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.

12.10.2023

Index : Yes/No
Internet : Yes/No
TM

To

1. The II Additional District and Sessions Judge, (PCR) Exclusive Court for SC/ST Cases, Tirunelveli, Tirunelveli District.
2. The Assistant Commissioner of Police,
Office of Assistant Commissioner of Police,
Junction Range,
Tirunelveli City,
Tirunelveli.
3. The Inspector of Police,
Central Crime Branch,
Tirunelveli City,
Tirunelveli District.
(Crime No.01/2022)
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

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