



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 12.10.2023

CORAM:

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

Crl.O.P.(MD)No.18218 of 2023

Mohan

... Petitioner/Accused No.1

Vs.

The State rep. by

1.The Deputy Superintendent of Police
Deputy Superintendent of Police Office,
Ramanathapuram Town, Ramanathapuram.

2.The Inspector of Police,
Bazaar Police Station,
Ramanathapuram Town.
(Crime No.275 of 2023)

... 1st & 2nd Respondents/Complainant

3.Theiva Rani

... 3rd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned District and Sessions Judge, Special Court for PCR Cases, Ramanathapuram to accept the surrender of the petitioner and consider the bail application on the date of surrender in connection with Crime No.275 of 2023 on the file of the 2nd respondent police.

For petitioner : Mr.B.Jameelarasu

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



ORDER

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This petition has been filed seeking direction to the learned District and Sessions Judge, Special Court for PCR Cases, Ramanathapuram, to accept the surrender of the petitioner in connection with Crime No.275 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.275 of 2023 on the file of the 2nd respondent police for the offences punishable under Section 147, 294(b), 323 & 379 of IPC and under Sections 3(1)(r) & 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 one has injured in this case and the petitioner is having no previous case. The mobile phone involved in this matter has been recovered by the Inspector of Police.



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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 District and Sessions Judge, Special Court for PCR Cases, Ramanathapuram, 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 District and Sessions Judge, Special Court for PCR Cases, Ramanathapuram.
- 2.The Deputy Superintendent of Police
Deputy Superintendent of Police Office,
Ramanathapuram Town, Ramanathapuram.



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3. The Inspector of Police,
Bazaar Police Station,
Ramanathapuram Town.
(Crime No.275 of 2023)
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

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