



CrI.O.P.(MD)No.19831 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **07.11.2023**

CORAM:

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

CrI.O.P.(MD)No.19831 of 2023

Kottaiyappan

... Petitioner/Accused No.1

Vs.

1.The Deputy Superintendent of Police,
Thalaiyuthu Sub Division,
Tirunelveli District.

2.State represented by
The Inspector of Police,
Sivanthipatti Police Station,
Tirunelveli District,
(Crime No.167 of 2023).

3.Alagurani

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned 2nd Additional Sessions Court cum (PCR Court), at Tirunelveli, to accept the surrender of the petitioner and consider their bail application on the same day on merit relating to Crime No.167 of 2023, dated 17.09.2023.

For Petitioner : Mr.S.Sathyachidambaram

For Respondents : Mr.M.Vaikkam Karunanithi for R1 & R2



Government Advocate (Crl. Side)

ORDER

This petition has been filed to direct the learned Judge, 2nd Additional Sessions Court cum (PCR Court), at Tirunelveli,, to consider the bail application of the petitioners on the same day of his surrender before that Court in connection with Crime No.167 of 2023 on the file of the second respondent.

2.The petitioner is the accused No.2 in Crime No.167 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 147, 148, 294(b), 352 and 506(ii) of IPC read with Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 and Section 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST (POA) Act, 1989.

3.Mr.M.Vaikkam Karunanithi, learned Government Advocate (Crl. side), accepts notice for the respondents 1 and 2. He would further submitted that the injured sustained only simple injuries and no previous case is pending against the petitioner.

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 Judge, 2nd Additional Sessions Court cum (PCR Court), at Tirunelveli, 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.

07.11.2023

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

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G.ILANGOVAN. J.

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To

- 1.The Judge, 2nd Additional Sessions Court cum (PCR Court),
Tirunelveli,
- 2.The Deputy Superintendent of Police,
Thalaiyuthu Sub Division,
Tirunelveli District.
- 3.The Inspector of Police,
Sivanthipatti Police Station,
Tirunelveli District,
(Crime No.167 of 2023).
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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