



CrI.O.P.(MD)No.19887 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED:01.12.2023

CORAM:

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

CrI.O.P.(MD)No.19887 of 2023

1.Sivasurian

2.Kandasamy @ Muthuvijayan

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Manamadurai,
Sivagangai District.

2.State:
Rep.the Inspector of Police,
Thirupatchethi Police Station,
Sivagangai District,
(Crime No.89/2014).

3.Subramanian

... Respondents

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), Sivagangai to accept the surrender of the petitioner and consider their bail application on the same day on merit relating to Crime No. 89 of 2014, dated 17.04.2014.



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For Petitioners : Mr.D.Rameshkumar

For Respondents 1 & 2 : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.side)

ORDER

This Criminal Original Petition is filed to direct the learned District and Sessions Judge (Special court for PCR Cases), Sivagangai to accept the surrender of the petitioner and consider their bail application on the same day on merit relating to Crime No. 89 of 2014, dated 17.04.2014.

2. Earlier, on 07.11.2023, when the matter was taken up for hearing, a report was called for from the trial Court as to why warrant has been issued against the petitioners. The report was received from the trial Court stating that at the time of filing final report, the petitioners was shown as absconding accused. Only on that ground, the warrant was issued.

3. In view of the above, let the petitioners appear before the trial Court and execute a bond under Section 88 Cr.P.C. At the time of



considering the same, the trial Court may also take into account the fact that the first petitioner involved in five previous cases and the same are not similar in nature. Further, at the time of entertaining the petition, notice must be ordered to the defacto complainant and after hearing both sides only, the order may be passed by the trial Court.

4. With the above direction, this Criminal Original Petition is disposed of.

01.12.2023

Index : Yes/No
Internet : Yes/No
cp

To

1.The District and Sessions Judge (Special court for PCR Cases),
Sivagangai.

2.The Deputy Superintendent of Police,
Manamadurai,
Sivagangai District.

3.The Inspector of Police,
Thirupatchethi Police Station,
Sivagangai District,
(Crime No.89/2014).

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



Madurai.

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G.ILANGOVAN. J.

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