



Cr.I.O.P.(MD).No.20160 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.11.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Cr.I.O.P.(MD).No.20160 of 2023

Arun

... Petitioner/Accused
Rank Not Known

Vs.

1.The Deputy Superintendent of Police,
Cheranmahadevi Division,
Tirunelveli District.

...1st Respondent/
Investigation Officer

2.The Inspector of Police,
Suthamalli Police Station,
Tirunelveli District.
(Crime No.249 of 2023)

...2nd Respondent/Complainant

3. Thangavelsamy @ Jeeva.M

...3rd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to direct the II Additional District and Sessions Judge (Special Court for PCR Cases), Tirunelveli, to consider his bail application on the same day of his surrender in respect of Cr.No. 249 of 2023 on the file of the second respondent, pending investigation.



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For Petitioner : Mr.D.Venkatesh
For R1 & R2 : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.side)

ORDER

This petition has been filed to direct the II Additional District and Sessions Judge (Special Court for PCR Cases), Tirunelveli, to consider his bail application on the same day of his surrender in respect of Cr.No. 249 of 2023 on the file of the second respondent, pending investigation.

2.The petitioner is the accused persons in Crime No.249 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324 and 506(ii) of IPC and Section 3(1)(r), 3(1)(s) and 3(2)(Va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3.Mr.M.Vaikkam Karunanithi, the learned Government Advocate (Crl. Side), accepts notice for the respondents 1 and 2. He would submit that the petitioner has no previous cases and injured is discharged from the hospital.



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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 II Additional District and Sessions Judge (Special Court for PCR Cases), 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 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.

09.11.2023

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

INDU



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G.ILANGOVAN,J.

INDU

To

- 1.The II Additional District and Sessions Judge,
(Special Court for PCR Cases), Tirunelveli.
- 2.The Deputy Superintendent of Police,
Cheranmahadevi Division,
Tirunelveli District.
- 3.The Inspector of Police,
Suthamalli Police Station,
Tirunelveli District.
(Crime No.249 of 2023)
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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