



WEB COPY

Crl.O.P.(MD)No.20984 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.11.2023**

CORAM:

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

Crl.O.P.(MD) No.20984 of 2023

Sakthi @ Sakthivel

... Petitioner/2nd Accused

Vs.

1. The Assistant Commissioner of Police,
Tallakulam Sub Division,
Madurai City.

...1st Respondent/Investigation
Officer

2. The Inspector of Police,
Thiruppalai Police Station,
Madurai City.
Crime No.352 of 2023.

...2nd Respondent/Complainant

3. Rajesh

... 3rd Respondent/Defacto
Complainant (victim)

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned III Additional Sessions Judge for PCR Act Cases, Madurai, to consider the bail application of the petitioner on the same day on his surrender in Crime No. 352 of 2023 on the file of the 2nd respondent Police.

For Petitioner : Mr.V.Thirumal

For R1 and R2 : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.Side)



ORDER

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This petition has been filed to direct the learned III Additional Sessions Judge for PCR Act Cases, Madurai, to consider the bail application of the petitioner on the same day on his surrender in Crime No.352 of 2023 on the file of the 2nd respondent Police.

2.The petitioner is the accused persons in Crime No.352 of 2023 on the file of the 2nd respondent Police for the offences punishable under Sections 147, 148, 294(b), 323, 324, 506(ii) of IPC and Sections 3(1)(r), 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act.

3.Mr.M.Vaikkam Karunanithi, learned Government Advocate (Crl.Side), accepts notice for the respondents 1 and 2. He would submit that now the injured is treated as out patient and there is no previous case pending against the petitioner.

4.Considering the facts and circumstances of the case, this Court is inclined to pass the following orders :-



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1)The petitioner shall appear before the learned learned III Additional Sessions Judge for PCR Act Cases, Madurai, 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.

22.11.2023

NCC:Yes/No

Index : Yes/No

Internet : Yes/No

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G.ILANGOVAN. J.

Indu

To

- 1.The III Additional Sessions Court for PCR Act Cases,
Madurai.
- 2.The Assistant Commissioner of Police,
Tallakulam Sub Division,
Madurai City.
- 3.The Inspector of Police,
Thiruppalai Police Station,
Madurai City.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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