



CrI.O.P.(MD).No.21348 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

CrI.O.P.(MD).No.21348 of 2023

Sunilkumar

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Valliyo or, Tirunelveli District.

2.The State rep by
The Inspector of Police,
Radhapuram Police Station,
Tirunelveli District.
(In Cr.No.296/2023)

3.V.Vijay

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to direct the Learned Principal Sessions Judge (Special Court for PCR Cases), Tirunelveli District to consider the bail application filed by the petitioner on the same day of surrender in Cr.No. 296 of 2023 on the file of the second respondent Police.

For Petitioner : Mr.M.Laxmi Mahendraa

For R1 & R2 : Mr.M.Vaikkam Karunanithi
Government Advocate (CrI.side)



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ORDER

This petition has been filed seeking direction to the learned Principal Sessions Judge (Special Court for PCR Cases), Tirunelveli District, to accept the surrender of the petitioner in connection with Crime No.296 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.296 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 147, 294(b), 323 of IPC r/w 3(1)(r), 3(j)(s), 3(2)(va) of SC/ST (Prevention of Atrocities) Act.

3.Mr.M.Vaikkam Karunanithi, learned Government Advocate (Crl. Side), accepts notice for the respondents 1 and 2. He would further submit that the injured in this case has been 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 Principal Sessions Judge (Special Court for PCR Cases), Tirunelveli District, 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. The trial Court shall taken into consider the previous antecedents of the petitioner while passing orders on merits.

5.With the above observation, this Criminal Original Petition is disposed of.

27.11.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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G.ILANGO VAN, J.

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To

- 1.The Principal Sessions Judge (Special Court for PCR Cases),
Tirunelveli District.
- 2.The Deputy Superintendent of Police, Valliyoor,
Tirunelveli District.
- 3.The Inspector of Police,
Radhapuram Police Station,
Tirunelveli District.
(In Cr.No.296/2023)
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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