



Crl.O.P.(MD).No.21590 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:30.11.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.21590 of 2023

Aatheeshwaran @ Mari @ Aathiswaran

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Samayanallur,
Madurai District.

2.The State rep by
The Inspector of Police,
Alanganallur Police Station,
Alanganallur,
Madurai District.
In Crime No 463 of 2023.

3.Kaleeswari

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to direct the III Additional District Court (PCR) Madurai, Madurai to accept the surrender of the petitioner in connection with Crime no. 463 of 2023 on the file of the Inspector of Police, Alanganallur Police Station, Alanganallur, Madurai.



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

ORDER

This Criminal Original Petition is filed to direct the III Additional District Court (PCR) Madurai, Madurai, to accept the surrender of the petitioner in connection with Crime no. 463 of 2023 on the file of the Inspector of Police, Alanganallur Police Station, Alanganallur, Madurai.

2.The petitioner is the accused persons in Crime No.463 of 2023 on the file of the 2nd respondent police for the offences punishable under Section 294(b), 324 and 506(ii) of IPC and also Section (i)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

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 and no previous case is pending against the petitioner. A counter case is also registered in Crime No.464 of 2023 against the defacto complainant.



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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 III Additional District Court (PCR) Madurai, 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 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.

30.11.2023

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

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G.ILANGO VAN, J.

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To

- 1.The III Additional District Court (PCR) Madurai, Madurai.
- 2.The Deputy Superintendent of Police, Samayanallur, Madurai District.
- 3.The Inspector of Police, Alanganallur Police Station, Alanganallur, Madurai District.In Crime No 463 of 2023.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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