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CrI.O.P.(MD)No.21850 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.12.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

**CrI.O.P.(MD) No.21850 of 2023**

Sakthivel

... Petitioner/Accused  
rank not known

Vs.

1.The Deputy Superintendent of Police,  
K.Pudupatti,  
Pudukottai District.

2.State rep.by  
The Inspector of Police,  
K.Pudupatti Police Station,  
Pudukottai District.  
(Crime No.194 of 2023)

...Respondents No.1 and 2/  
Complainants

3.Ganesan

...Respondent No.3/Defacto  
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Additional District and Sessions Judge(PCR), Pudukkottai, to accept the surrender of the Petitioner along with bail application in Cr.No.194 of 2023 on the file of the 2<sup>nd</sup> respondent Police herein and to consider the bail application on the same day on merits.



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*Crl.O.P.(MD)No.21850 of 2023*



For Petitioner : Mr.A.Arun Prasad  
For R1 & R2 : Mr.M.Vaikkam Karunanithi  
Government Advocate (Crl.side)

### **ORDER**

This petition has been filed to direct the Additional District and Sessions Judge(PCR), Pudukkottai, to accept the surrender of the Petitioner along with bail application in Cr.No.194 of 2023 on the file of the 2<sup>nd</sup> respondent Police herein and to consider the bail application on the same day on merits.

2.The petitioner is the accused persons in Crime No.194 of 2023 on the file of the 2<sup>nd</sup> respondent police for the offences punishable under Sections 294(b), 323, 342, 363, 506(i) of IPC and Sections 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, learned Government Advocate (Crl.side), accepts notice for the respondents 1 and 2. He would submit that the petitioner has no previous case and there is no injury in this case.

The accused Nos.1 to 3 were arrested and they are still in judicial



custody.

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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 Additional District and Sessions Judge (PCR), Pudukkottai, 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.

**05.12.2023**

Index : Yes/No  
Internet : Yes/No  
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**G.ILANGOVAN. J.**

Indu

To

- 1.The Additional District and Sessions Court (PCR),  
Pudukkottai.
- 2.The Deputy Superintendent of Police,  
K.Pudupatti,  
Pudukottai District.
- 3.The Inspector of Police,  
K.Pudupatti Police Station,  
Pudukottai District.
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

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05.12.2023