



CrI.O.P.(MD).No.22062 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:07.12.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

CrI.O.P.(MD).No.22062 of 2023

Gunaseelan @ Guna

... Petitioner

Vs.

The State rep by

**1.The Deputy Superintendent of Police,
Periyakulam,
Theni District.**

**2.The Inspector of Police,
Thenkarai Police Station,
Theni District,
(Crime No.469/2023).**

3.Lingeshwaran

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to direct the Learned Principal Sessions Judge cum PCR, Theni, to accept the surrender of the Petitioner and consider the bail application on the date of surrender in Cr.No.469 of 2023 on the file of 2nd Respondent Police on the very same day.



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

ORDER

This Criminal Original Petition is filed to direct the Learned Principal Sessions Judge cum PCR, Theni, to accept the surrender of the Petitioner and consider the bail application on the date of surrender in Cr.No.469 of 2023 on the file of second Respondent Police on the very same day.

2.The petitioner is the accused persons in Crime No.469 of 2023 on the file of the 2nd respondent police for the offences punishable under Section 341, 294(b) & 323, 324, 506(ii) of IPC r/w Sections 3(1)(r), 3(1)(s), 3(i)(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 further submit that the injured in this case has been discharged from the hospital and the petitioner has no previous case.



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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 cum PCR, Theni, 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.

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

07.12.2023

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 cum PCR, Theni.
- 2.The Deputy Superintendent of Police, Periyakulam, Theni District.
- 3.The Inspector of Police, Thenkarai Police Station,
Theni District, (Crime No.469/2023).
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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