



Crl.O.P.(MD).No.22655 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.12.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.22655 of 2023

Siva @ Markesh

... Petitioner / Accused No.3

Vs.

State rep by,

1.The Deputy Superintendent of Police,
Orathanadu Division,
Thanjavur District.

2.The Inspector of Police,
Pappanadu Police Station,
Thanjavur District.
(Crime No.301 of 2023)

3.Muthuperamu

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to direct the learned 1st Additional District and Sessions Judge (PCR) Court, Thanjavur, to consider the bail application on his surrender on the same day, if any petition filed by the petitioner in Crime No.301 of 2023 on the file of the second respondent.



Crl.O.P.(MD).No.22655 of 2023

For Petitioner : Mr.T.Eashwar

For R1 and R2 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed to direct the learned 1st Additional District and Sessions Judge (PCR) Court, Thanjavur, to consider the bail application on his surrender on the same day, if any petition filed by the petitioner in Crime No.301 of 2023 on the file of the second respondent.

2.The petitioner is the accused No.3, in Crime No.301 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 294(b), 323, 355, 506(ii) of IPC and Section 379(NP) r/w 3(1) (r), 3(1)(s), 3(2)(Va)(POA) SC/ST Act, 1989.

3.Mr.Mr.R.M.Anbunithi, Additional Public Prosecutor, accepts notice for the respondents 1 and 2. He would further submitted that the earlier petition filed by the petitioner, was dismissed on the ground that the injured was taking treatment as in-patient. Now the injured in this



Crl.O.P.(MD).No.22655 of 2023

case has been discharged from the hospital. There is no previous case against the petitioner.

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 1st Additional District and Sessions Judge (PCR) Court, Thanjavur, 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.

18.12.2023

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



Crl.O.P.(MD).No.22655 of 2023

G.ILANGO VAN, J.

pnn

To

- 1.The 1st Additional District and Sessions Judge (PCR), Thanjavur.
- 2.The Inspector of Police, Pappanadu Police Station,
Thanjavur District. (Crime No.301 of 2023)
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD).No.22655 of 2023

18.12.2023