



Crl.O.P.(MD) No.80 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 05.01.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.80 of 2024

1.Meenakumar

2.Mani @ Manikandan

3.Chandrasekar

4.Thilagavathi

5.Mallika

6.Subbammal

...Petitioners

VS

1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Thiruverumbur,
Trichy District.

2.The Inspector of Police,
Thuvakudi Police Station,
Trichy District,
Crime No.272 of 2023

3.Muthamilselvan

...Respondents



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PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the Learned I-Additional District and Sessions Judge (PCR Court), Trichy to consider the bail application of the Petitioners on the same day of their surrender itself in Cr.No.272 of 2023 on the file of 2nd Respondent Police.

For Petitioners : Mr.R.Alagia Nambi
For R1 & R2 : Mr.M.Veeranthiran
Government Advocate (Crl.side)

ORDER

This Criminal Original Petition has been filed to direct the learned 1st Additional District and Sessions Judge (PCR Court), Trichy, to consider the Petitioners' bail applications on the same day of surrender in Crime No.272 of 2023 on the file of the 2nd Respondent.

2.The learned Government Advocate (Crl.Side) for the Respondents 1 and 2 would submit that that the subject matter arose out of the dispute with regard to administration of the temple and there are case and counter case. Counter case has been registered in Crime No.273 of 2023.



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3. In a case and counter case, both the cases had to be investigated by the same Investigation Officer and the final report had to be laid before the same Court, so that the Court can decide who is aggressor and who is the victim. Considering the submissions made by the learned Government Advocate (Crl.side), this Criminal Original Petition is allowed with the following conditions:-

i) The Petitioners are directed to surrender before the learned 1st Additional District and Sessions Judge (PCR Court), Trichy, within 15 days from the date of receipt of a copy of this order or from the date of uploading the copy of this order in the official web-site of this Court.

ii) On such surrender by the Petitioners, the learned 1st Additional District and Sessions Judge (PCR Court), Trichy, shall consider the bail applications of the Petitioners and dispose of the same as per the provisions of SC/ST (Prevention of Atrocities) Act, 1989, after issuing notice and hearing the objections of the victim of the crime.

Internet: Yes./No
Index: Yes/No
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05.01.2024

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To

- 1.The 1st Additional District and Sessions Judge,
(PCR Court), Trichy.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Thiruverumbur,
Trichy District.
- 3.The Inspector of Police,
Thuvakudi Police Station,
Trichy District,
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

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