



Crl.O.P.(MD).No.2502 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 19.02.2024

CORAM:

THE HONOURABLE Mr. JUSTICE SATHI KUMAR SUKUMARA KURUP

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1.Shiyam

2.Ramadurai

... Petitioners/Accused Nos.1 and 4

Vs.

1.The Deputy Superintendent of Police,
Samayanallur Sub-Division,
Madurai District.

2.The Inspector of Police,
Alanaganallur Police Station,
Madurai District.
[Crime No.29 of 2024]

...Respondents 1 & 2/Complainants

3.Manikandan

...3rd Respondent/De-facto Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned Additional District Court No.III for Trial of PCR Act Cases, Madurai, to consider the bail application to be filed by the Petitioners in Crime No.29 of 2024 on the very same day of their surrender on the file of the second Respondent Police.

For Petitioner : Mr.S.Jeyakarthik

For R-1 and R-2 : Mr.M.Veeranthiran
Government Advocate
(Criminal Side)



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ORDER

The learned Counsel for the Petitioner submitted that the Petitioner had filed this Criminal Original Petition seeking direction against the learned III Additional District Judge, Special Court for PCR Act Cases, Madurai, to consider bail application of the Petitioners on the day of their surrender in Crime No.29 of 2024.

2. The learned Government Advocate (Criminal Side) appearing for the Respondents 1 and 2 would submit that there was a dispute between the Petitioners and the de-facto Complainant. The Petitioners are alleged to have attacked the de-facto complainant with iron rod, bare hands causing cut injury on the eyebrow, based on which the case was registered against the Petitioners by the second Respondent. There was no previous case registered against the Petitioners. He further submitted that the petitioner is alleged to have abused the de-facto complainant which attracts the provisions of Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3. Considering the submissions made by the learned Government Advocate (Criminal Side) and the learned Counsel for the Petitioner, this Court directs the Petitioners to surrender before the learned III Additional District



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Judge, Special Court for PCR Act Cases, Madurai, 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.

4. On such surrender by the Petitioners and on filing an application for bail, the learned III Additional District Judge, Special Court for PCR Act Cases, Madurai, shall consider the bail application of the Petitioners, after issuing notice to the victim of crime / de-facto complainant. After hearing the objections of the victim of the crime, shall pass appropriate orders as per law.

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

19.02.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To

1.The Additional District Court No.III for Trial of PCR Act Cases,

<https://www.mhc.tn.gov.in/judis>



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Madurai.

- 2.The Deputy Superintendent of Police,
Samayanallur Sub-Division,
Madurai District.
- 3.The Inspector of Police,
Alanaganallur Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

SATHI KUMAR SUKUMARA KURUP, J.

Nsr



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