



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **28.04.2023**

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGOVAN

Crl.O.P.(MD)No.6962 of 2023

- 1.Kottaisamy
- 2.Koodishvaran @ Kodeeswaran
- 3.Vijay
- 4.Govinthan @ Govindan ... Petitioners/Accused Nos.1 to 4

Vs.

1. State represented by its
The Deputy Superintendent of Police,
Musiri,
Trichy District.
2. The Inspector of Police,
Thottiyam Police Station,
Trichy District.
(Crime No.104 of 2023) ... Respondent Nos.1 & 2/Complainant
- 3 Theeper ... Respondent No.3/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the I Additional District Judge (PCR Court), Trichy, to consider the bail application of the petitioners on the same day of their surrender before that Court in connection with Crime No.104 of 2023 on the file of the 2nd respondent.



WEB COPY



Crl.O.P.(MD)No.6962 of 2023

For Petitioners : Mr.K.Arunraj

For Respondents : Mr.R.Suresh Kumar for R1 & R2
Government Advocate (Crl. Side)

ORDER

This petition has been filed to direct the learned I Additional District Judge (PCR Court), Trichy, to accept the surrender of the petitioners and consider the bail application on the date of their surrender in connection with Crime No. 104 of 2023 on the file of the 2nd respondent Police.

2.The petitioners are the accused persons in Crime No.104 of 2023 on the file of the 2nd respondent police for the offences punishable under Section 294(b), 324 & 506(2) of IPC and Section 3(1)(r), 3(1)(s) and 3(2) (Va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2015.

3.Mr.R.Suresh Kumar, learned Government Advocate (Criminal Side), accepts notice for the respondents 1 and 2. He would further submitted after filing this petition, petitioners 1 and 2 have been arrested and later released on bail.



WEB COPY



Crl.O.P.(MD)No.6962 of 2023

4. Considering the facts and circumstances of the case, this Court is inclined to pass the following orders :-

- 1) The petitioners 3 & 4 shall appear before the learned I Additional District Judge (PCR Court), Trichy, 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 petitioners 3 & 4 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 partly allowed. Since the petitioners 1 and 2 were arrested and released on bail after filing this petition, this criminal original petition is dismissed in respect of the petitioners 1 and 2.

28.04.2023

Index : Yes/No

Internet : Yes/No

TM

To

1. The I Additional District Judge (PCR Court), Trichy.



Crl.O.P.(MD)No.6962 of 2023

WEB COPI

2. The Deputy Superintendent of Police,
Musiri,
Trichy District.
3. The Inspector of Police,
Thottiyam Police Station,
Trichy District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



Crl.O.P.(MD)No.6962 of 2023

G.ILANGOVAN. J.

TM

WEB COPY

Crl.O.P.(MD)No.6962 of 2023

28.04.2023