



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2016

CORAM

THE HON'BLE MR. JUSTICE G. CHOCKALINGAM

Crl.O.P. (MD) No.23597 of 2016

WEB COPY

1. Ramesh

2. Harisankar

.. Petitioners/A2 and A3

Vs

The State Rep. by its
The Inspector of Police,
Papanasam Police Station,
Thanjavur District.
(Crime No.451 of 2016)

.. Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the Court concerned, to accept the surrender of the petitioners before the Special Court for SC/ST (Prevention of Atrocities) Act i.e., the 1st Additional District and Sessions Judge at Thanjavur, in connection with the Crime No.451 of 2016, on the file of the respondent police and to consider the bail application filed by the petitioners on the same day.

For Petitioners : Mr.K.M.Karunakaran
For Respondent : Mr.A.P.Balasubramani
Government Advocate (Crl. side)

ORDER

This petition has been filed to direct the 1st Additional District and Sessions Judge at Thanjavur, Special Court for SC/ST (Prevention of Atrocities) Act, to consider the bail application on same day on their surrender in connection with Crime No.139 of 2013, on the file of the respondent police.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondent and perused the materials available on record.

3. In respect of the offences punishable under the provisions of Scheduled Castes and Scheduled Tribes Act, the Deputy Superintendent of Police is the investigating officer. But in the present case, the Deputy Superintendent of Police concerned has not been made as a party respondent. Instead, the Inspector of Police, Papanasam Police Station, Thanjavur District, who is not a competent person, has been made as a party. Therefore, this Criminal Original Petition is liable to be dismissed.



4. In the result, this Criminal Original Petition is dismissed. However, liberty is given to the petitioner to file fresh application.

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Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

1.The I-Additional District and Sessions Judge
Special Court for SC/ST
(Prevention of Atrocities)
Thanjavur

2.The Inspector of Police, Papanasam Police Station, Thanjavur District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

PJL

MSK/10.01.2017/2P-4C

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