



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.06.2021

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE **G. ILANGO VAN**
Crl.O.P. (MD)No.7960 of 2021

1.Sivanatham

2.Senguttuvan

... Petitioners/

Accused Rank No Known

Vs.

1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Pattukottai Sub Division,
Thanjavur District.

2.The Inspector of Police,
Madukkur Police Station,
Thanjavur District.
(Crime No.160 of 2021)

... 1st & 2nd Respondents/
Complainants

3.Balamurugan

... 3rd Respondent/
De facto Complainant

4.SivaBakiyam

5.Balakrishnan

... 4th & 5th Respondents/Victim

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to accept the surrender of the petitioners before the Special Court for S.C/S.T (Prevention of Atrocities) Act i.e., The 1st Additional District and Sessions Judge at Thanjavur, in connection with the Crime No.160 of 2021 on the file of the second respondent police and to consider the bail application filed by the petitioners on the same day.

For Petitioners : Mr.K.M.Karunakaran

For R-1 and R-2 : Mr.R.M.Anbunithi

Additional Public Prosecutor

O R D E R

This petition has been filed to accept the surrender of the petitioners before the Special Court for S.C/S.T (Prevention of Atrocities) Act i.e., The 1st Additional District and Sessions Judge at Thanjavur, in connection with the Crime No.160 of 2021 on the file of the second respondent police and to consider the bail application filed by the petitioners on the same day.



2. The petitioners are the accused in Crime No.160 of 2021 on the file of the second respondent for the offences punishable under Sections 294(b), 427, 352 & 506(ii) I.P.C r/w Section 4 of the Prohibition of Harassment of Women Act, 2002 and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

3. Mr.R.M.Anbunithi, learned Additional Public Prosecutor accepts notice for the respondents 1 and 2.

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

1)The petitioners shall appear before the Special Court for SC/ST (Prevention of Atrocities) Act, (1st Additional District and Sessions Judge), Thanjavur, within a period of one month, from the date of resumption of regular work in subordinate Courts.

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 his surrender, after hearing the defacto complainant by complying with Section 15(5) of the Act.

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

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ssb

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

1.The Special Judge for S.C/S.T (Prevention of Atrocities) Act/
The 1st Additional District and Sessions Judge,
Thanjavur.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Pattukottai Sub Division,
Thanjavur District.

3.The Inspector of Police,
Madukkur Police Station,
Thanjavur District.

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

Crl.O.P. (MD)No.7960 of 2021
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KB(29.06.2021) 3P 5C