



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G. ILANGO VAN**

Crl.O.P. (MD) No.12835 of 2021

1.Vibeneshkannan @ Vigneshwaran @ Vicky
2.Venkatesh ... Petitioners/Accused No.2 & 3

Vs.

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

2.The Inspector of Police,
Pattukottai Taluk Police Station,
Thanjavur District,
(Crime No.530 of 2021) ... Respondents 1 & 2/Complainant

3.Hariharan ... 3rd Respondent/Defacto complainant

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 SC/ST (Prevention of Atrocities) Act, i.e The first Additional District and Sessions Judge at Thanjavur, in connection with the Crime No.530 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 Petitioner : Mr.K.M.Karunakaran
For R-1 and R-2 : Mr.R.M.Anbunidhi
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the I Additional District and Sessions Judge at Thanjavur, to accept the surrender of the petitioners before the Special Court for SC/ST (Prevention of Atrocities) Act, in connection with the Crime No.530 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 petitioner is the accused in Crime No.530 of 2021, on the file of the second respondent for the offences punishable under Sections 341, 294(b), 323, 506)i) IPC and Sections 3(1)(r) , 3(1)(s) & 3(2)(va) of SC/ST (POA) Amendment Act 2015.

3.Mr.R.M.Anbunithi, learned Additional Public Prosecutor, who accepts notice for the respondents 1 and 2 would submit that no



previous case is pending against the petitioner and injured was discharged from the Hospital.

4.Considering the facts and circumstances of the case and also taking into consideration the submission of the learned Additional Public Prosecutor, this Court is inclined **to allow the petition**, as per the following conditions:-

1)The petitioners shall appear before the learned I Additional District and Sessions Judge, Special Court for SC/ST (Prevention of Atrocities) Act at Thanjavur 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 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.Accordingly, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (A.D I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vrn

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 I Additional District and Sessions Judge,
Special Court for SC/ST (Prevention of Atrocities) Act,
Thanjavur.

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



3.The Inspector of Police,
Pattukottai Taluk Police Station,
Thanjavur District.

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

CrI.O.P. (MD) No.12835 of 2021
22.10.2021

NSN (CO)

RS/JGB (01.11.2021) 3P 5C