



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.09.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

Crl.O.P. (MD)No.12961 of 2021

WEB COPY

1.Kalaiyarasan

2.Elavarasan

...Petitioners/Accused No.2&4

Vs.

1.The Deputy Superintendent of Police,
Vallam,
Thanjavur District.

2.The Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur District
(Crime No.1010 of 2021)

...Respondents 1 & 2/Complainants

3.Mahalingam

...3rd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned I Additional District and Sessions Judge (PCR Court), Thanjavur, Thanjavur District to consider the bail application to be filed by the petitioners on the same of its filing on their surrendering in connection with Crime No.1010 of 2021 on the file of the Inspector of Police, Thanjavur Taluk Police Station, Thanjavur District.

For Petitioners : Mr.R.L.Dilipan Pandian

For R-1 and R-2 : Mr.K.Sanjai Gandhi
Government Advocate (Crl.side)

O R D E R

This petition has been filed to direct the learned I Additional District and Sessions Judge (PCR Court), Thanjavur, Thanjavur District to accept the surrender of the petitioners and consider the bail applications on the date of surrender in connection with Crime No.1010 of 2021 on the file of the second respondent Police.

2. The petitioners are arrayed as accused 2 and 4 in Crime No.1010 of 2021 on the file of the second respondent for the offences punishable under Sections 294(b), 323, 324 and 506(ii) I.P.C and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Caste/Scheduled Tribes (Prevention of Atrocities) Act.

3. Mr.R.Sanjai Gandhi, learned Government Advocate (Crl.side) accepts notice for the respondents 1 and 2. He would submit that the petitioners have not involved in any previous case and the injured



has been discharged from the hospital.

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 learned I Additional District and Sessions Judge (PCR Court), Thanjavur, Thanjavur District, 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 applications filed by the petitioners and pass orders on merits on the same day of their 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 (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

CM

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 (PCR Court),
Thanjavur, Thanjavur District.
2. The Deputy Superintendent of Police,
Vallam, Thanjavur District.
3. The Inspector of Police,
Thanjavur Taluk Police Station, Thanjavur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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RK (14.09.2021) 2P 5C

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