



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGOVAN

Crl.O.P. (MD) No.16103 of 2021

WEB COPY

- 1.Kabilan
2.Kaviyarasan ... Petitioners/Accused No 1 and 5
Vs.
- 1.The State Rep. by
The Deputy Superintendent of Police,
Thanjavur, Thiruvidimaruthur,
Thanjavur District. ...1st Respondent
- 2.The State Rep. by
The Sub-Inspector of Police,
Pandhanallur Police Station,
Thanjavur District.
(Crime No.902/2021) ...2nd Respondent/Complainant
- 3.K.Kamaraj ...3rd Respondent/Defacto Complainant

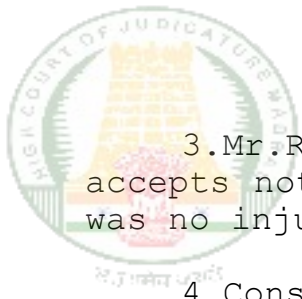
PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 1st Additional District and Sessions Judge, Thanjavur (Prevention of Civil Rights Court), to consider and pass orders on the bail application along with surrender of the petitioners in Crime No.902/2021 pending on the file of 2nd respondent police, on the same day.

For Petitioners	: Mr.R.Surya Prakash
For R1 & R2	: Mr.RMS.Sethuraman
	Additional Public Prosecutor

ORDER

This petition is filed seeking direction to the learned 1st Additional District and Sessions Judge, Thanjavur, (Prevention of Civil Rights Court), to accept the surrender of the petitioners and consider the bail application on the date of their surrender in connection with Crime No.902 of 2021 on the file of the 2nd respondent police.

2.The petitioners are the accused 1 and 5 in Crime No.902 of 2021 on the file of the 2nd respondent police for the offences punishable under Sections 147, 148, 294(b), 506 (ii) and 427 of I.P.C and Section 3(1)(r) and 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.



3.Mr.RMS.Sethuraman, learned Additional Public Prosecutor, who accepts notice for the respondents 1 and 2, would submit that there was no injury.

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 1st Additional District and Sessions Judge, Thanjavur, (Prevention of Civil Rights Court), 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 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 (AD-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 1st Additional District and Sessions Judge,
Thanjavur (Prevention of Civil Rights Court)

2.The Deputy Superintendent of Police,
Thanjavur, Thiruvudimaruthur,
Thanjavur District.

3.The Sub-Inspector of Police,
Pandhanallur Police Station,
Thanjavur District.



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

+1 CC to M/s.R.SURYA PRAKASH, Advocate (SR-32668[F] dated
26/10/2021)

CrI.O.P. (MD)No.16103 of 2021
25.10.2021

PS (CO)
KB (08.11.2021) 3P 6C