



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.10.2021

CORAM :

WEB COPY

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

Crl.O.P.(MD)No.16609 of 2021

1.Visal
2.Gokul @ Gokulakrishnan
3.Dinesh
4.Samantham
5.Maruthanayagam @ Maruthanayar ... Petitioners/
Accused No.10,11,12,14 & 16
Vs.

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

2.The Inspector of Police,
Panthanallur Police Station,
Thanjavur District.
Crime No.902 of 2021. ... 1st and 2nd respondents/
Complainants

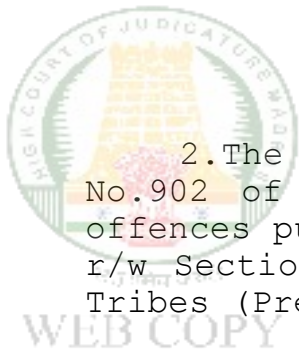
3.Kamaraj ... 3rd Respondent/
Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to accept the surrender of the petitioners before the Special Court for SC/ST (Prevention of Atrocities) Act i.e., the I Additional District and Sessions Judge at Thanjavur, in connection with the Crime NO.902 of 2021 on the file of the 2nd respondent police and to consider the bail application filed by the petitioners on the same day.

For Petitioners : Mr.K.M.Karunakaran
For Respondents : Mr.R.M.S.Sethuraman for R1 & R2
Additional Public Prosecutor

ORDER

This petition has been filed to direct the learned I Additional District and Sessions Judge at Thanjavur, Special Court for SC/ST (Prevention of Atrocities) Act, 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 accused Nos.10, 11, 12, 14 & 16 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) of IPC, r/w Section 3(1)(r), 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amended Act, 2015.

3.Mr.RMS.Sethuraman, learned Additional Public Prosecutor accepts notice for the respondents 1 and 2. He submitted that no previous case is pending against the petitioners and the injured person has been 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 at Thanjavur, Special Court for SC/ST (Prevention of Atrocities) Act, 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 II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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 Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Thiruvidaimaruthur Sub Division,
Thanjavur District.
- 2.The Inspector of Police,
Panthanallur Police Station,
Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to:

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

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-32970[F] dated
28/10/2021)

Crl.O.P. (MD)No.16609 of 2021
28.10.2021

MGJ/SKN(18.11.2021) 3P 6C