



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **08.09.2022**

CORAM:

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

Crl.O.P.(MD)No.15826 of 2022

1.Thiyagarajan

2.Anbunathan

.. Petitioners/Accused Nos.1 & 2

Vs.

1.State through

The Deputy Superintendent of Police,
Kalaiyarkovil, Sivagangai District.
(Crime No.268 of 2022)

.. 1st Respondent/Complainant

2.State through

The Inspector of Police,
Kalaiyarkovil Police Station,
Kalaiyarkovil, Sivagangai District.
(Crime No.268 of 2022)

.. 2nd Respondent/Complainant

3.Rajeswari

.. 3rd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned District and Sessions Court for the exclusive trial of PCR Act Cases, Sivagangai to consider the bail application to be filed by the petitioners/ Accused Nos.1 & 2 on the same day of their surrender in Crime No.268 of 2022, pending on the file of the 2nd respondent police.



For Petitioners : Mr.Babu Rajendran
For Respondents : Mr.A.Albert James
Government Advocate (Crl. Side)

ORDER

This petition has been filed to direct the learned District and Sessions Court for the exclusive trial of PCR Act Cases, Sivagangai, to accept the surrender of the petitioners and consider the bail application on the date of their surrender in connection with Crime No.268 of 2022 on the file of the 2nd respondent Police.

2.The petitioners are the accused No.1 & 2 in Crime No.268 of 2022 on the file of the 2nd respondent police for the offences punishable under Section 294(b) of IPC, r/w Section 3(1)(r) and 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3.Mr.A.Albert James, learned Government Advocate (Crl. side) accepts notice for the respondents 1 and 2. He submitted that no previous case is pending against the petitioners.

4.Considering the facts and circumstances of the case, this Court is



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Crl.O.P.(MD)No.15826 of 2022



inclined to pass the following orders :-

1)The petitioners shall appear before the learned District and Sessions Court for the exclusive trial of PCR Act Cases, Sivagangai, 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 15A(5) of the Act.

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

08.09.2022

Index : Yes/No

Internet : Yes/No

TM

To

1.The District and Sessions Judge,
Special Court for the exclusive trial of PCR Act Cases, Sivagangai.

2.The Deputy Superintendent of Police,
Kalaiyarkovil, Sivagangai District.



CrI.O.P.(MD)No.15826 of 2022

3.The Inspector of Police,
Kalaiyarkovil Police Station,
Kalaiyarkovil, Sivagangai District.

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



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CrI.O.P.(MD)No.15826 of 2022

G.ILANGOVAN. J.

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CrI.O.P.(MD)No.15826 of 2022

08.09.2022