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Crl.O.P.(MD)No.16168 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.09.2022

CORAM:

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

Crl.O.P.(MD)No.16168 of 2022

V.Pari

... Petitioner/Accused

Vs.

1.The Deputy Superintendent of Police,
Thanjavur Town.

2.State Rep. by
The Inspector of Police,
Thanjavur Medical College Police Station,
Thanjavur.

Crime No.841 of 2022

... 1st and 2nd Respondents/Complainants

3.Shanthi

... 3rd Respondent/De-facto Complainant
(Victim)

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned I Additional District and Sessions Judge (PCR), Special Court, Thanjavur for exclusive Trial of Cases under SC/ST (Prevention of Atrocities) Act to accept the surrender of the petitioner and consider his bail application on the same day on merits in relation to Crime No.841 of 2022 on the file of the respondent police.

For Petitioner : Mr.P.Vadivel

For R-1 and R-2 : Mr.A.Albert James
Government Advocate (Crl. side)



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ORDER

This petition has been filed to direct the learned I Additional District and Sessions Judge (PCR), Special Court, Thanjavur for exclusive Trial of Cases under SC/ST (Prevention of Atrocities) Act to accept the surrender of the petitioner and consider his bail application on the same day on merits in relation to Crime No.841 of 2022 on the file of the respondent police.

2. The petitioner is the accused in Crime No.841 of 2022, on the file of the second respondent for the offences punishable under Section 294(b) IPC and Sections 3(1)(r) of SC/ST (Prevention of Atrocities Act), 1989.

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

4. Considering the facts and circumstances of the case and also taking into consideration the submission of the learned Government Advocate (Crl. side) this Court is inclined to allow the petition, as per the following conditions:-



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1)The petitioner shall appear before the learned I Additional District and Sessions Judge (PCR), Special Court, Thanjavur for exclusive Trial of Cases under SC/ST (Prevention of Atrocities) Act, within a period of fifteen days from the date of receipt of a copy of this order.

2)On such surrender along with notice served to the de-facto complainant, the concerned Judge shall consider the bail applications filed by the petitioner and pass orders on merits on the same day of his surrender, after hearing the de-facto complainant by complying with Section 15A(5) of the Act.

5. Accordingly, this Criminal Original Petition is allowed.

09.09.2022

Index : Yes/No

Internet : Yes/No

sjj

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),
Special Court, Thanjavur for exclusive Trial of Cases under SC/ST
(Prevention of Atrocities) Act.

2.The Deputy Superintendent of Police,
Thanjavur Town.



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CrI.O.P.(MD)No.16168 of 2022

G.ILANGOVAN. J.

sjj/pnn

3.The Inspector of Police,
Thanjavur Medical College Police Station,
Thanjavur.

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

CrI.O.P.(MD)No.16168 of 2022

09.09.2022