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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.09.2022

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGOVAN**

Crl.O.P.(MD)No.16601 of 2022

1.A.Selvam @ Siva Subramaniyan
2.Mari @ Muthusamy ... Petitioners/
Accused Nos.1 & 2

Vs.

1.The Deputy Superintendent of Police,
O/o.the Deputy Superintendent of Police,
Tenkasi Division,
Tenkasi District,
(Crime No.180/2022)

2.The Inspector of Police,
Achanpudur Police Station,
Tenkasi District,
(Crime No.180/2022)

3.K.Gurusamy ... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the II Additional District Judge (Special Court for Schedule Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. Tirunelveli to accept the surrender of the petitioners/Accused Nos.1 & 2 and consider the petitioner's bail application and grant bail on the date of surrender itself in Crime No.180 of 2022 dated 05.09.2022 on the file of the second respondent police.

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For Petitioners : Mr.B.Ramanathan

For Respondents 1 & 2 : Mr.R.Suresh Kumar
Government Advocate (Crl. Side)

ORDER

The petitioners are the accused Nos.1 and 2 in Crime No.180 of 2022 on the file of Achanpudur Police Station, Tenkasi District and the offences alleged against the accused are under Sections 294(b), 427, 506(ii) of IPC and Section 3(1)(r), 3(1)(s) and 3(2)(va) of the Schedule Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

2. The present petition filed by the petitioners is to direct the learned II Additional District Judge (Special Court for Schedule Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. Tirunelveli, to accept the surrender of the petitioners and also to consider the bail application on the same day.

3. Mr.R.Suresh Kumar, learned Government Advocate (Crl. Side) accepts notice for the respondents 1 and 2. The third respondent is the de-facto complainant.

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4. Since the prayer itself is to accept the surrender of the petitioners and consider the bail application, this Court is inclined to pass the following orders :-

> 1) The petitioners should appear before the learned II Additional District Judge (Special Court for Schedule Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. Tirunelveli, within a period of 15 days, from the date of uploading the order copy in the website of this Court *and*
>
> 2) On such surrender, concerned Sessions Judge, may consider the bail application filed by the petitioners on merits on the same day of surrender, after giving notice to the concerned Public Prosecutor and by complying Section 15(5) of the Act.

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

28.09.2022

Index : Yes/No
Internet:Yes/No
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G.ILANGOVAN, J.,

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To

1.The II Additional District Judge
(Special Court for Schedule Castes and Scheduled Tribes
(Prevention of Atrocities) Act, 1989.
Tirunelveli

2.The Deputy Superintendent of Police,
O/o.the Deputy Superintendent of Police,
Tenkasi Division,
Tenaksi District.

3.The Inspector of Police,
Achanpudur Police Station,
Tenkasi District.

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

Crl.O.P.(MD)No.16601 of 2022

28.09.2022

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