



Crl.O.P.(MD) No.17045 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 02.11.2022

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P (MD) No.17045 of 2022

1.M.Alamkhan

2.Thangarasu

...Petitioners

vs

1.The Deputy Superintendent of Police
DSP Office,
Illuppur,
Pudukkottai District.

2.The Inspector of Police
Illupur Police Station,
Pudukkottai District.
In Crime No.258 of 2022

3.P.Senbagam

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to accept the surrender of the Petitioners before the Special Court for SC/ST (Prevention of Atrocities) Act ie., the First Additional District and Sessions Judge at Thanjavur in connection with the Crime No.258 of 2022 on the file of the second Respondent and to consider the bail application filed by the Petitioners on the same day.



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Crl.O.P.(MD) No.17045 of 2022

For Petitioners : Mr.M.Rajarajan

For R1 & R2 : Mr.R.Suresh Kumar
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to direct the learned I Additional District and Sessions Judge, Special Court for SC/ST (Prevention of Atrocities) Act, Thanjavur, to consider the Petitioners' bail application on the same day of surrender in Crime No.258 of 2022 on the file of the second Respondent.

2.The learned Counsel for the Petitioners already submitted his arguments before this Court, which was recorded on 13.10.2022. The case was posted to 17.10.2022 to hear the learned Government Advocate (Crl.side). On 17.10.2022, on request of the learned Government Advocate (Crl.side), the case was adjourned to today, 02.11.2022.

3.Today, 02.11.2022, when the case came up for hearing, the learned Government Advocate (Crl.side) for the Respondents 1 and 2 would submit that even after the directions from the Court of the learned I Additional



Crl.O.P.(MD) No.17045 of 2022

District and Sessions Judge, the first Respondent had conducted the enquiry and found out that there is no substance in the allegation. Therefore, he had closed the case as mistake of fact.

4.Recording the submission of the learned Government Advocate (Crl.side), this Petition is allowed with the following conditions:-

i) The Petitioners are directed to surrender before the learned I Additional District and Sessions Judge, Special Court for SC/ST (Prevention of Atrocities) Act, Thanjavur, within a period of 15 days from the date of receipt of a copy of this order or from the date of uploading the copy of this order in the official web-site of this Court.

ii) On such surrender by the Petitioners, the learned I Additional District and Sessions Judge, Special Court for SC/ST (Prevention of Atrocities) Act, Thanjavur, shall consider the bail application of the Petitioners and dispose of the same as per law.

02.11.2022

Internet:Yes/No
Index:Yes/No
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3/4



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Crl.O.P.(MD) No.17045 of 2022

SATHI KUMAR SUKUMARA KURUP, J.

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To

- 1.The I Additional District and Sessions Judge,
Special Court for SC/ST (Prevention of Atrocities) Act,
Thanjavur.
- 2.The Deputy Superintendent of Police
DSP Office,
Illuppur,
Pudukkottai District.
- 3.The Inspector of Police
Illupur Police Station,
Pudukkottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P (MD) No.17045 of 2022

02.11.2022

4/4