



Crl.O.P.(MD)No.17475 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.09.2022

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.17475 of 2022

Elavarasi

... Petitioner/Accused No.2

Vs.

1.State Rep by

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

2.The Inspector of Police,
Sengipatti Police Station,
Thanjavur District.

(Crime No.523 of 2022)

... Respondents 1&2/Complainants

3.Saravanakumar

... 3rd Respondent/Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to accept the surrender of the petitioner before the Special Court for S.C/S.T (Prevention of Atrocities) Act i.e., The 1st Additional District and Sessions Judge at Thanjavur, connection with the Crime No.523 of 2022 on the file of the 2nd respondent police and to consider the bail application filed by the petitioner on te same day.

For Petitioner

: Mr.K.M.Karunakaran

For Respondents 1 & 2

: Mr.R.Suresh Kumar

Government Advocate (Crl. Side)



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ORDER

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The petitioner is the accused in Crime No. 523 of 2022 on the file of Sengipatti Police Station, Thanjavur District, and the offences alleged against the accused are under Sections 294(b), 323, 355 of IPC r/w Section 3(1)(x) of SC/ST (POA) Amendment Act, 1989.

2. The present petition filed by the petitioner is to direct the Special Court for S.C/S.T (Prevention of Atrocities) Act i.e., The 1st Additional District and Sessions Judge at Thanjavur, to accept the surrender of the petitioner 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.

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

1) The petitioner should appear before the Special Court for S.C/S.T (Prevention of Atrocities) Act i.e., The 1st Additional District and Sessions Judge



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at Thanjavur, 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 petitioner on merits on the same day of surrender, after giving notice to the concerned Public Prosecutor and by complying Section 15A(5) of the Act.

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

30.09.2022

Index : Yes/No

Internet:Yes/No

dss

To

1.The Special Court for S.C/S.T (Prevention of Atrocities) Act i.e.,
The 1st Additional District and Sessions Judge at Thanjavur

2. The Deputy Superintendent of Police,
Thiruvaiyaru Sub Division,
Thanjavur District.

3.The Inspector of Police,
Sengipatti Police Station,
Thanjavur District.

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



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G.ILANGO VAN, J.,

dss

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