



Crl.O.P.(MD) No.20428 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2022

CORAM:

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

Crl.O.P.(MD) No.20428 of 2022

Humayun Kabeer @ Himayun Kabeer

: Petitioner

Vs

1. The Deputy Superintendent Of Police,
Thiruvidaimaruthur,
Thanjavur District

2. The Inspector of Police,
Thiruneelakudi Police Station,
Thanjavur District.
Crime No.690 of 2022

3. Santhanakrishnan,

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to direct the learned I Additional District and Sessions Judge(PCR Court), Thanjavur, to consider the bail application to be filed by the Petitioner on the same day while the Petitioner surrender on lower court in Crime No.



Crl.O.P.(MD) No.20428 of 2022

690 of 2022, on the file of the respondent.

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For Petitioner : Mr.U.Umamaheswaran

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

ORDER

This Criminal Original Petition had been filed for a direction to direct the learned I Additional District and Sessions Judge(PCR Court), Thanjavur, to consider the petitioner's bail application on the same day of his/her surrender in Crime No. 690 of 2022 on the file of the second respondent police.

2.The petitioner is the sole accused in Crime No.690 of 2022 on the file of the 2nd respondent police for the offences punishable under Sections 294(b), 506(1) IPC, r/w Section 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3.Mr.R.Suresh Kumar, learned Government Advocate (Crl. side) accepts notice for the respondents 1 and 2. He submitted that in this case, no one injured.



CrI.O.P.(MD) No.20428 of 2022

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4.Considering the facts and circumstances of the case, this Court is inclined to pass the following orders :-

1)The petitioner shall appear before the learned I Additional District and Sessions Judge(PCR Court), Thanjavur, 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 petitioner 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.

18.11.2022

Internet:Yes
Index:Yes/No

PNM

Note:Issue Order copy on 21.11.2022

3/5



CrI.O.P.(MD) No.20428 of 2022

To

1. The I Additional District and Sessions Judge(PCR Court),
Thanjavur.

2. The Deputy Superintendent Of Police,
Thiruvudaimaruthur,
Thanjavur District

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

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



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CrI.O.P.(MD) No.20428 of 2022

G.ILANGOVAN, J.

PNM

ORDER IN
CrI.O.P.(MD) No.20428 of 2022

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