



*Crl.O.P.(MD)No.21839 of 2022*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **12.12.2022**

CORAM:

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

**Crl.O.P.(MD)No.21839 of 2022**

1.K.Kannadasan

2.M.Sugan

3.R.Jaganathan

... Petitioners

Vs.

1.The Deputy Superintendent of Police,  
Kumbakonam, Thanjavur District.

... Respondent/Investigating Officer

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

... Respondent/Complainant

3.Sujitha

... Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Additional District and Sessions Judge (Special Court for SC/ST (POA) Act Cases), Thanjavur to accept the surrender of the petitioners and consider their bail application on the same day on merits in accordance with law in Crime No.726 of 2022 on the file of the 2<sup>nd</sup> respondent.



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For Petitioners : Mr.K.A.S.Prabhu  
For Respondents : Mr.E.Antony Sahaya Prabahar  
for R1 & R2  
Additional Public Prosecutor

### **ORDER**

This petition has been filed to direct the learned Additional District and Sessions Judge (Special Court for SC/ST (POA) Act Cases), Thanjavur, to accept the surrender of the petitioners and consider the bail application on the date of their surrender in connection with Crime No. 726 of 2022 on the file of the 2<sup>nd</sup> respondent Police.

2.The petitioners are the accused persons in Crime No.726 of 2022 on the file of the 2<sup>nd</sup> respondent police for the offences punishable under Section 147, 148, 294(b), 323, 324, 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 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.E.Antony Sahaya Prabahar, learned Additional Public Prosecutor accepts notice for the respondents 1 and 2. He submitted that no previous case is pending against the petitioners and the injured person has been discharged from the hospital. It is a case in counter case.



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

1) The petitioners shall appear before the learned Additional District and Sessions Judge (Special Court for SC/ST (POA) Act Cases), 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 petitioners 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.

**12.12.2022**

Index : Yes/No

Internet : Yes/No

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To

1. The Additional District and Sessions Judge (Special Court for SC/ST (POA) Act Cases), Thanjavur.



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- 2.The Deputy Superintendent of Police,  
Kumbakonam, Thanjavur District.
- 3.The Inspector of Police,  
Patteeswaram Police Station,  
Thanjavur District.
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**G.ILANGOVAN. J.**

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