



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 15.12.2022

CORAM:
THE HONOURABLE MR.JUSTICE G.ILANGOVAN

Crl.O.P.(MD)No.22113 of 2022

Tambi Durai ... Petitioner / Accused No. 3
Vs.

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

2. The Inspector of Police,
Pateeswaram Police Station,
Pateeswaram,
Kumbakonam Sub Division,
Thanjavur District.
(Crime No.726 of 2022).

... Respondents / Complainants

3. B.Sujitha ... 3rd Respondent / Victim / Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Sessions Judge and Special Court for SC/ST (POA) Act, Thanjavur, to accept the surrender of the petitioner / accused no.3 and consider the petitioner's bail application and grant bail in the date of surrender itself in Crime No.726 / 2022 on the file of the second Respondent Police.

For Petitioner : Mr. Sankar.S

For R1 and R2 : Mr. Antony Sahaya Prabahar.E
Additional Public Prosecutor



ORDER

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This petition has been filed to direct the learned Sessions Judge, Special Court for SC/ST (POA) Act, Thanjavur, to accept the surrender of the petitioner / accused No.3 and consider the petitioner's bail application and grant bail in the date of surrender itself in Crime No. 726 / 2022 on the file of the second Respondent Police.

2.The petitioners are the accused persons in Crime No.726/2022 on the file of the 2nd respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324, 506(ii) of IPC and Section 4 of Tamil Nadur Prohibition of Harassment of Women Act, 2022 and Sections 3(1)(r), 3(1)(s) and 3(2)(vs) 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 there is no injured person in this 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 Sessions Judge, Special Court for SC/ST (POA) Act, 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.

15.12.2022

Index : Yes/No
Internet : Yes/No
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Crl.O.P.(MD)No.22113 of 2022

G.ILANGOVAN. J.

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To

1. The learned Sessions Judge,
Special Court for SC/ST (POA) Act,
Thanjavur
2. The Deputy Superintendent of Police,
Kumbakonam, Thanjavur District.
3. The Inspector of Police,
Pateeswaram Police Station,
Pateeswaram,
Kumbakonam Sub Division,
Thanjavur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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