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Crl.O.P.(MD)No.4845 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.07.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

Crl.O.P.(MD) No.4845 of 2023

S.Venkatesh

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Thuraiyur Taluk,
Trichy District.

2.The Inspector of Police,
Thuraiyur Police Station,
Trichy District.
(Crime No.41 of 2023)

3.A.Vairamuthaiya

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned 1st Additional District Court (PCR Court), Trichy to accept the surrender of the petitioner and to consider the petitioner bail petition on the same day in accordance with law of his surrender in connection with Crime No.41 of 2023 on the file of the Inspector of Police, Thurauryur Police Station, Trichy District.

For Petitioner : Mr.A.Senthil Kumar

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



ORDER

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This petition is filed seeking for a direction to the learned 1st Additional District Judge, (PCR Court), Trichy to accept the surrender of the petitioner and to consider the petitioner's bail petition on the same day in accordance with law on his surrender in connection with Crime No.41 of 2023 on the file of the Inspector of Police, Thuraayur Police Station, Trichy District.

2.The learned counsel for the petitioner submits that the police have registered a case against the petitioner in Crime No.41 of 2023 for the offences punishable under Sections 147, 148, 341,427, 294(b), 323, 324 and 354 IPC and 3(1)(r), 3(1)(s) and 3 (2)(va) of the Tamil Nadu SC/ST (Prevention of Atrocities) Amendment Act, 2015 on a false complaint given by the defacto complainant.

3.According to the petitioner, earlier the mother of the defacto complainant made a complaint, basing on which a case in Crime No.333 of 2019 was registered against the petitioner, but subsequently, by way of filing memo of alteration, the police have included the offence under Tamil Nadu SC/ST (Prevention of Atrocities) Amendment Act, 2015.



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4.The petitioner has earlier moved similar petition in Crl.O.P.(MD) No.3275 of 2023 seeking for direction to the 1st Additional District Court (PCR Court), Trichy to consider the petitioner's bail petition on the same day in accordance with law on his surrender in connection with Crime No.41 of 2023 on the file of the Inspector of Police, Thuraayur Police Station, Trichy District. After hearing both the sides, this Court has dismissed the said petition holding that the petitioner has earlier committed the offence under the Tamil Nadu SC/ST (Prevention of Atrocities) Amendment Act, 2015. Now, the petitioner has filed one more application for the very same relief. The petitioner has not made out any change in circumstance, on account of which he can move similar application in the same ground. Considering the circumstances, there are no merits in this petition and accordingly, this Petition is dismissed.

Index : Yes/No
Internet : Yes/No
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17.07.2023

To

1.The 1st Additional District Court,
(PCR Court), Trichy.



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- 2.The Deputy Superintendent of Police,
Thuraiyur Taluk,
Trichy District.
- 3.The Inspector of Police,
Thuraiyur Police Station,
Trichy District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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DR.D.NAGARJUN. J.

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