



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **30.03.2023**

CORAM:

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

Crl.O.P.(MD)No.5847 of 2023

1.Balraj

2.Elizabethrani

3.Scheelarani

... Petitioners/Accused

Vs.

1.The Deputy Superintendent of Police,
Thiruvidaimaruthur Division,
Thanjavur District.

2.The Inspector of Police,
Thiruppanandhal Police Station,
Thanjavur District.
(Crime No.177 of 2023)

... Respondents/Complainants

3.Ayyapillai

... 3rd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned I Additional District and Sessions Judge (PCR), Thanjavur District, to consider the bail applications of the petitioners on the same day of their surrender in connection with Crime No.177 of 2023 on the file of the 2nd respondent.

For Petitioners : Mr.C.Hitesh Kumar

For Respondents : Mr.R.Suresh Kumar

for R1 & R2

Government Advocate (Crl. Side)



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Crl.O.P.(MD)No.5847 of 2023



ORDER

This petition has been filed to direct the learned I Additional District and Sessions Judge (PCR), Thanjavur District, to accept the surrender of the petitioners and consider the bail application on the date of their surrender in connection with Crime No. 177 of 2023 on the file of the 2nd respondent Police.

2.The petitioners are the accused persons in Crime No.177 of 2023 on the file of the 2nd respondent police for the offences punishable under Section 294(b), 324, 506(ii) of IPC and Sections 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 would submit that the petitioners are having no previous cases against them and the injured person in this case has been discharged from the hospital.

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



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Crl.O.P.(MD)No.5847 of 2023

1)The petitioners shall appear before the learned I Additional District and Sessions Judge (PCR), Thanjavur District, 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(3) of the Act. The trial Court shall taken into consider the previous antecedents of the petitioners while passing orders on merits.

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

30.03.2023

Index : Yes/No
Internet : Yes/No
TM

To

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

2.The Deputy Superintendent of Police,
Thiruvidaimaruthur Division,
Thanjavur District.



Crl.O.P.(MD)No.5847 of 2023

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

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



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Crl.O.P.(MD)No.5847 of 2023

G.ILANGOVAN. J.

TM

Crl.O.P.(MD)No.5847 of 2023

30.03.2023