



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **28.04.2023**

CORAM:

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

Crl.O.P.(MD)No.7611 of 2023

- 1.Panchabikesan @ Panjamoorthy
- 2.Ravi @ Ravichandran
- 3.Raja @ Rajan
- 4.Murugan ... Petitioners/Accused Nos.1 to 4

Vs.

State Rep. by

- 1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Thanjavur Sub Division,
Thanjavur District.
- 2.The Inspector of Police,
Melatur Police Station,
Thanjavur District.
(Crime No.42 of 2023) ... 1st & 2nd Respondents/Complainant
- 3.Logeshwaran ... 3rd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to accept the surrender of the petitioner before the Special court for SC/ST (Prevention of Atrocities) Act i.e The 1st Additional District and Sessions Judge at Thanjavur in connection with the Crime No. 87 of 2023 on the file of 2nd respondent.



For Petitioners : Mr.K.M.Karunakaran
For Respondents : Mr.B.Nambiselvan for R1 & R2
Additional Public Prosecutor

ORDER

This petition has been filed to direct the learned I Additional District and Sessions Judge, Special Court for Exclusive Trial of case under SC/ST(POA) Act 1989, Thanjavur, to accept the surrender of the petitioners and consider the bail application on the date of their surrender in connection with Crime No. 87 of 2023 on the file of the 2nd respondent Police.

2.The petitioners are the accused persons in Crime No.87 of 2023 on the file of the 2nd respondent police for the offences punishable under Section 294(b), 323, 324, 506(ii) of IPC and Section 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2015.

3.Mr.B.Nambiselvan, learned Additional Public Prosecutor, accepts notice for the respondents 1 and 2. He would further submit that 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 :-

- 1)The petitioners shall appear before the learned I Additional District and Sessions Judge, Special Court for Exclusive Trial of case under SC/ST(POA) Act 1989 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(3) of the Act.

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

28.04.2023

Index : Yes/No
Internet : Yes/No
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To

1.The I Additional District and Sessions Judge, Special Court for Exclusive Trial of case under SC/ST(POA) Act 1989, Thanjavur.



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2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Thanjavur Sub Division,
Thanjavur District.

3.The Inspector of Police,
Melatur 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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