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Crl.O.P.(MD)No.7615 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.04.2023**

CORAM:

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

Crl.O.P.(MD)No.7615 of 2023

1.Rajeshkannan @ Rajesh

2.Thirunavukkarasu

3.Ramesh

... Petitioner/Accused Nos.1 to 3

Vs.

1.The Deputy Superintendent of Police,
Orathanadu Sub Division,
Thanjavur District.

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

3.Manikandan

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Sessions Judge, Special Court for Trial of cases registered under SC/ST (POA) Act, Thanjavur District to consider the bail application to be filed by the petitioners on the same day of its filing on their surrendering in connection with the case in Crime No.378 of 2023 on the file of the Inspector of Police, Orathanadu Police Station, Thanjavur District.



For Petitioners : Mr.R.L.Dhilipan Pandian
For R1 and R2 : Mr.B.Nambiselvan for R1 & R2
Government Advocate (Crl. Side)

ORDER

This petition has been filed to direct the learned Sessions Judge, Special Court for Trial of cases registered under SC/ST (POA) Act, Thanjavur District to consider the bail application to be filed by the petitioners on the same day of its filing on their surrendering in connection with the case in Crime No.378 of 2023 on the file of the Inspector of Police, Orathanadu Police Station, Thanjavur District.

2. The petitioners are the accused persons in Crime No.378 of 2023 on the file of the 2nd respondent police for the offences punishable under Section 447, 323, 352 & 355 of IPC and Section 3(1)(r), 3(1)(s) & 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 submitted that injured person has been discharged from the hospital and no previous case has been registered against the petitioners.



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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 Trial of cases registered under SC/ST (POA) Act, 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.

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

24.04.2023

NCC : Yes / No
Index : Yes/No
Internet : Yes/No

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G.ILANGOVAN. J.

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To

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

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