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Crl.O.P.(MD)No.7914 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.04.2023**

CORAM:

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

Crl.O.P.(MD)No.7914 of 2023

1. Jayalakshmi
 2. Jayakumar ... Petitioners/Accused 1 and 2
- Vs.
1. The Deputy Superintendent of Police,
Thanjavur Town Sub Division,
Thanjavur District. ...1st Respondent/Investigating Officer
 2. The Inspector of Police,
Medical College Police Station,
Thanjavur District.
Crime No.296 of 2023. ...2nd Respondent/Complainant
 3. Padhmapriya ... 3rd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the I Additional District and Sessions Judge (Special Court for SC/ST Act Cases, PCR), Thanjavur, Thanjavur District, to consider and dispose of the bail application filed by the petitioners in Crime No.296 of 2023 dated 22.04.2023 on the file of the second respondent herein on the same day of their surrender before the said



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Court.

For Petitioners : Mr. Veerasekaran.D
For Respondents : Mr.R.Sureshkumar for R1 & R2
Government Advocate (Crl. Side)

ORDER

This petition has been filed to direct the I Additional District and Sessions Judge (Special Court for SC/ST Act Cases, PCR), Thanjavur, Thanjavur District, to consider and dispose of the bail application filed by the petitioners in Crime No.296 of 2023 dated 22.04.2023 on the file of the second respondent herein on the same day of their surrender before the said Court.

2.The petitioners are the accused persons in Crime No.296 of 2023 on the file of the 2nd respondent police for the offences punishable under Section 294(b), 406, 420, 506(i) of IPC and Section 3(1)(v), 3(1)(iii) 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 further submitted the petitioners are having no previous cases.



4. The learned counsel for the petitioner would submit that complaint that was given by the petitioners under Section 138 of Negotiable Instrument Act against the third respondent is pending before the second respondent Police.

5. It appears that no such complaint has been received by the second respondent Police. The above said factual aspect can be considered by the learned I Additional District and Sessions Judge (Special Court for SC/ST Act Cases, PCR), Thanjavur, at that time of passing the orders.

6. 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 SC/ST Act Cases, PCR), 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



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the same day of their surrender, after hearing
the defacto complainant by complying with
Section 15A(3) of the Act.

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

27.04.2023

NCC:Yes/No

Index : Yes/No

Internet : Yes/No

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To

- 1.The I Additional District and Sessions Court
(Special Court for SC/ST Act Cases, PCR),
Thanjavur,
- 2.The Deputy Superintendent of Police,
Thanjavur Town Sub Division,
Thanjavur District.
3. The Inspector of Police,
Medical College Police Station,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

Indu

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