



*Crl.O.P.(MD)No.8500 of 2023*

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 04.05.2023**

**CORAM:**

**THE HONOURABLE MRS. JUSTICE R. THARANI**

**Crl.O.P.(MD)No.8500 of 2023**

Balaji

... Petitioner

Vs.

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

2.The Inspector of Police,  
Vallam Police Station,  
Thanjavur District.  
(Crime No.174 of 2023)

3.Rethinam

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Learned Ist Additional District and Sessions Judge (PCR) Court, Thanjavur to consider the bail application to be filed by the petitioner on the same on his surrender in connection with Crime No.174 of 2023 on the file of the second respondent.

For Petitioner : Mr.A.Arun Prasad

For Respondents : Mr.S.Manikandan  
Government Advocate (Crl.Side)  
for R.1 & R.2



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## **ORDER**

This petition has been filed to direct the Learned Ist Additional District and Sessions Judge (PCR) Court, Thanjavur to consider the bail application to be filed by the petitioner on the same on his surrender in connection with Crime No.174 of 2023 on the file of the second respondent.

2.The petitioner is the accused person in Crime No.174 of 2023 on the file of the 2<sup>nd</sup> respondent police for the offences punishable under Section 294(b), 323, 355, 506(i) of IPC and read with Section 3(1)(s) & 3(2) (va) of Schedule Caste and the Schedule Tribes (Prevention of Atrocities) Act, 1989.

3.Mr.S.Manikandan, learned Government Advocate (Crl.side), accepts notice for the respondents 1 and 2. He would further submitted the petitioner is the sole accused and he has two previous cases, out of which one case is in similar nature. He further submitted that the injured person in this case has been discharged from the hospital.



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

- i) The petitioner shall appear before the learned District and Sessions Judge, (PCR)Court, Thanjavur, within a period of 15 days from the date of receipt of a copy of this order.
- ii) The petitioner shall serve a notice to the defacto complainant three days prior to his surrender.
- iii) On such surrender along with notice served to the defacto complainant, the concerned Judge shall consider the bail application filed by the petitioner and pass orders on merits preferably on the same day of his 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.

**04.05.2023**

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

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**R. THARANI. J.**

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To

1. The District and Sessions Judge, (PCR)Court, Thanjavur.
2. The Deputy Superintendent of Police,  
Vallam Division, Thanjavur District.
3. The Inspector of Police, Vallam Police Station,  
Thanjavur District.  
(Crime No.174 of 2023)
4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

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**04.05.2023**