



Crl.O.P.(MD)No.9875 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **07.06.2023**

CORAM:

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

Crl.O.P.(MD)No.9875 of 2023

- 1.Madhankumar @ Mathan
- 2.Selvam @ Kalaiselvan
- 3.Kumaresan ... Petitioners/Accused Nos.1 to 3

Vs.

- 1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Thiruvidaimaruthur Sub Division,
Thanjavur District.
- 2.The Inspector of Police,
Pandhanallur Police Station,
Thanjavur District.
(Crime No.334 of 2023) ... 1st & 2nd Respondents/Complainant
- 3.Kalaivannan ... 3rd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to accept the surrender of the petitioners before the Special Court for S.C/S.T (Prevention of Atrocities) Act, i.e., The I Additional District and Sessions Judge at Thanjavur in connection with the Crime No.334 of 2023 on the file of the 2nd respondent police and to consider the bail application filed by the petitioners on the same day.



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For Petitioners : Mr.K.M.Karunakaran
For Respondents : Mr.B.Nambiselvan for R1 & R2
Government Advocate (Crl. Side)

ORDER

This petition has been filed to direct the learned I Additional District and Sessions Judge, Special Court for S.C/S.T (Prevention of Atrocities) Act, Thanjavur, 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. 334 of 2023 on the file of the 2nd respondent Police.

2.The petitioners are the accused persons in Crime No.334 of 2023 on the file of the 2nd respondent police for the offences punishable under Section 147, 148, 294(b), 323, 324 & 506(2) 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.B.Nambiselvan, learned Additional Public Prosecutor, accepts notice for the respondents 1 and 2. He would further submit that there is no previous case pending against the petitioners and the injured 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 :-

- 1)The petitioners shall appear before the learned I Additional District and Sessions Judge, Special Court for S.C/S.T (Prevention of Atrocities) Act, Thanjavur, 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.

07.06.2023

Index : Yes/No
Internet : Yes/No
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To

- 1.The I Additional District and Sessions Judge, Special Court for S.C/S.T (Prevention of Atrocities) Act, Thanjavur, Thanjavur District,
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Thiruvidaimaruthur Sub Division,
Thanjavur District.
- 2.The Inspector of Police,
Pandhanallur 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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