



Crl.O.P.(MD)No.10095 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 09.06.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.10095 of 2023

1.Surya
2.Subash Chandra Bose

...Petitioners

Vs.

1. The Deputy Superintendent of Police,
Thiruvudaimaruthur,
Thanjavur District.

2.The State rep. by
The Inspector of Police,
Pandhanallur Police Station,
Thanjavur District.
Crime No.332 of 2023.

.... Respondents 1 & 2/ Complainant

PRAYER: This Criminal original Petition is filed under Section 482 Cr.P.C., for issuing a direction to the Special Court for PCR Act cases, Thanjavur to accept the surrender and consider the bail petition to be filed by the petitioner in Crime No. 332 of 2023 on the file of the 2nd respondent police on the same day on merits.



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For Petitioner : Mr.C. Ehilarasu
For Respondents : Mr.B. Nambiselvan
Additional Public Prosecutor

ORDER

This petition has been filed to direct the Special Court for PCR Act cases, Thanjavur, to accept the surrender of the petitioners and consider the bail application on the date of their surrender in connection with Crime No. 332 of 2023 on the file of the 2nd respondent Police.

2.The petitioners are the accused persons in Crime No.332 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 294(b), 323, 506(i) of IPC r/w Section 3(1)(r), 3(1)(s) and 3(1)(w) (i) 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 the petitioner is not having any previous case and the injured was 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 Special Court for PCR Act cases, 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 de facto complainant by complying with Section 15A(3) of the Act. The trial Court shall taken into consider the previous antecedents of the petitioners while passing orders on merits.

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

09.06.2023

Index : Yes / No
Internet : Yes / No
trp



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To

1. The Deputy Superintendent of Police,
Thiruvidaimaruthur,
Thanjavur District.

2.The State rep. by
The Inspector of Police,
Pandhanallur Police Station,
Thanjavur District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVA, J

trp

Order made in
Crl.O.P.(MD)No.10095 of 2023

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