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Crl.O.P.(MD)No.10647 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.06.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **K.MURALI SHANKAR**

Crl.O.P.(MD)No.10647 of 2023

Senthil Kumar

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Nannilam Range,
Tiruvarur District.

2.The Inspector of Police,
Kodavasal Police Station,
Thiruvarur District.
(Crime No.282 of 2023)

3.Thiyagarajan

... Respondents/Complainants

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the I Additional District and Sessions Judge, PCR Court, Thanjavur and consider the petitioner's bail application on the same day upon their surrender before the I Additional District and Sessions Judge, PCR Court, Thanjavur and grant bail the date of surrender itself.

For Petitioner : Mr.K.Sivabalan

For Respondents 1 & 2 : Mr.B. Nambiselvan
Additional Public Prosecutor



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ORDER

This Criminal Original Petition has been filed to direct the direct the I Additional District and Sessions Judge, PCR Court, Thanjavur and consider the petitioner's bail application on the same day upon their surrender before the I Additional District and Sessions Judge, PCR Court, Thanjavur and grant bail on the date of surrender itself in Crime No. 282 of 2023, on the file of the 2nd respondent police.

2.The petitioner is the accused in Crime No.282 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 294(b) and 506(ii) IPC r/w. 3(1)(r), 3(1)(s), 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Amendment Act, 2015.

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 petitioner.

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



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- 1)The petitioner shall appear before the I Additional District and Sessions Judge, PCR Court, 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 de facto complainant, the concerned Judge shall consider the bail application filed by the petitioner and pass orders on merits on the same day of his surrender, after hearing the de facto complainant by complying with Section 15A(3) of the Act. The trial Court shall taken into consideration the previous antecedents of the petitioner while passing orders on merits.

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

16.06.2023

Index : Yes/No
Internet : Yes/No
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- 2.The Deputy Superintendent of Police,
Nannilam Range,
Tiruvarur District.
- 3.The Inspector of Police,
Kodavasal Police Station,
Thiruvarur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J.,

trp

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