



CrI.O.P.(MD)No.10996 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **21.06.2023**

CORAM:

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

CrI.O.P.(MD)No.10996 of 2023

1.K.Kulathaivel

2.K.Vinotha

3.K.Vadivel

4.K.Durai

.. Petitioners

Vs.

1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Thanjavur Rural Sub-Division,
Thanjavur District.

2.The Inspector of Police,
Ayyampettai Police Station,
Thanjavur District.

3.P.Kaliyamoorthy

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Sessions Judge, Special Court for Trial of Cases registered under SC/ST(POA) Act, Thanjavur District to consider the bail application to be filed by the petitioners on the same day of its filing on their surrendering in connection with the case in Crime No.190



of 2023 on the file of the Inspector of Police, Ayyampettai Police Station,
Thanjavur District.

For Petitioners : Mr. R.L. Dhilipan Pandian

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

ORDER

This petition has been filed to direct the learned Sessions Judge, Special Court for Trial of Cases registered under SC/ST(POA) Act, Thanjavur District to consider the bail application to be filed by the petitioners on the same day of its filing on their surrendering in connection with the case in Crime No.190 of 2023 on the file of the Inspector of Police, Ayyampettai Police Station, Thanjavur District.

2. The petitioners are the accused persons in Crime No.190 of 2023 on the file of the 2nd respondent police for the offences punishable under Section 294(b), 506(ii) of IPC and Section 3(1)(r), 3(1)(s) and 3(2) (Va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

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.

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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 Sessions Judge, Special Court for Trial of Cases registered under SC/ST(POA) Act, 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. The trial Court shall taken into consideration the previous antecedents of the petitioners while passing orders on merits.

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

21.06.2023

Index : Yes/No
Internet : Yes/No
trp



Crl.O.P.(MD)No.10996 of 2023

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To

1. The learned Sessions Judge, Special Court for Trial of Cases registered under SC/ST(POA) Act, Thanjavur District
2. The Commissioner of Police,
Trichy City,
Trichy.
3. The Inspector of Police,
Fort Police Station,
Trichy City.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD)No.10996 of 2023

G.ILANGOVAN. J.

trp

Crl.O.P.(MD)No.10996 of 2023

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