



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.10.2023**

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CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

Crl.O.P.(MD)No.15536 of 2023

Santhanakrishnan

... Petitioner/sole accused

Vs.

1.State Represented through the
The Deputy Superintendent of Police,
Kumbakonam, Thanjavur District.

2.The Inspector of Police,
Swamimalai Police Station,
Thanjavur District,
(Crime No.379 of 2023)

3.Kannan

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned First Additional and Sessions Court for PCR Act Cases, Thanjavur to accept his surrender and consider his bail application in Crime No.379 of 2023 on the file of the second respondent police to be filed by the petitioner on the same day on merits.

For petitioner	: Mr.M.Karunanithi
For R1 and R2	: Mr.M.Vaikkam Karunanithi
	Government Advocate (Crl.Side)



ORDER

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This petition has been filed seeking direction to the learned First Additional and Sessions Court for PCR Act Cases, Thanjavur to accept his surrender and consider his bail application in Crime No.379 of 2023 on the file of the second respondent police to be filed by the petitioner on the same day on merits.

2.The petitioners are the accused person in Crime No.379 of 2023 on the file of the second respondent police registered for the offences under Sections 394(b), 323, 352 and 506(i) of IPC r/w 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3.Mr.M.Vaikkam Karunanithi, learned Government Advocate (Crl.side) accepts notice for the respondents 1 and 2.

4.Mr.A.Senthil Kumar, learned counsel for the third respondent objects to this petition stating that this petitioner has assaulted the defacto complainant.



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

- 1)The petitioner shall appear before learned the First Additional and Sessions Judge 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 petitioner and pass orders on merits on the same day of his surrender, after hearing the defacto complainant by complying with Section 15A(3) of the Act.

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

05.10.2023

Index : Yes/No

Internet : Yes/No

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To

1.The First Additional and
Sessions Court for PCR Act Cases,
Thanjavur.

2.The Deputy Superintendent of Police,
Kumbakonam, Thanjavur District.



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3.The Inspector of Police,
Swamimalai 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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