



Crl.O.P.(MD)No.18497 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.10.2023**

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.18497 of 2023

Kasthuri reengan

... Petitioner / Accused No.1

Vs.

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

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

(In Crime No.196/2023). ... Respondents 1 & 2/ Complainants

3. Thambiraja

... 3rd Respondent/ Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the learned Principal Sessions Judge, Thanjavur (PCR Court, Special Court for Exclusively Trial of Cases under SC/ST (Prevention Atrocities) Act to consider the bail petition of the petitioner on the same day on his surrender in connection with Crime No,196/2023 on the file of 2nd Respondent Police.



WEB COPY



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For Petitioner : Mr.P. Balamurugan
Advocate.
For R1 and R2 : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to direct the learned Principal Sessions Judge, Thanjavur (PCR Court, Special Court for Exclusively Trial of Cases under SC/ST (Prevention Atrocities) Act to consider the bail petition of the petitioner on the same day on his surrender in connection with Crime No,196/2023 on the file of 2nd Respondent Police.

2.The petitioner is the accused persons in Crime No.196 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 147, 294(b), 355, 323, 506(i) of IPC r/w Sections 3(1)(r), 3(1)(s), 3(1)(w)(i) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 1989.



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3.Mr.M.Vaikkam Karunanithi, the learned Government Advocate (Crl.Side), accepts notice for the respondents 1 and 2. He would submit that there is no previous case pending against the petitioner, it is a case and counter case. In both the cases, injured have been discharged from the hospital.

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

- 1)The petitioner shall appear before the learned Principal Sessions Judge, Thanjavur (PCR Court, Special Court for Exclusively Trial of Cases under SC/ST (Prevention Atrocities) Act, 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 their surrender, after hearing the defacto complainant by complying with Section 15A(3) of the Act.



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

16.10.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

Indu

TO

- 1.The Principal Sessions Court,
(PCR Court, Special Court for Exclusively Trial of
Cases under SC/ST (Prevention Atrocities) Act, Thanjavur.
- 2.The Deputy Superintendent Of Police,
Pattukottai,
Thanjavur District.
3. The Inspector of Police,
Adiramapattinam Police Station,
Thanjavur District.
(In Crime No.196/2023).
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J.

Indu

Order made in
Crl.O.P.(MD)No.18497 of 2023

Dated: 16.10.2023