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CrI.O.P.(MD)No.21518 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.11.2023**

CORAM:

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

CrI.O.P.(MD) No.21518 of 2023

1. Pothiyappan
2. Velsami Muthiya Udaiyar ... Petitioners/Accused Nos.1 and 2

Vs.

1. The Deputy Superintendent of Police,
Orathanadu, Thanjavur District.
2. The Sub Inspector of Police,
Vattathikottai Police Station,
Thanjavur District.
Crime No. 651/2023. ...1st and 2nd Respondent/
Complainant
3. Mathivannan ... 3rd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned I Additional District and Sessions Judge (for PCR cases), Thanjavur District, to accept the surrender of the petitioner / sole accused in connection with the Crime No.651 of 2023 on the file of the respondent Police and to consider the petitioner's bail application on the same day.



Crl.O.P.(MD)No.21518 of 2023

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

ORDER

This petition has been filed to direct the learned I Additional District and Sessions Judge (for PCR cases), Thanjavur District, to accept the surrender of the petitioner / sole accused in connection with the Crime No.651 of 2023 on the file of the respondent Police and to consider the petitioner's bail application on the same day.

2.The petitioners are the accused persons in Crime No.651 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 506(i) IPC and Sections 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. He would further submitted that there is no injury in this case and no previous case is pending against the petitioners.



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 I Additional District and Sessions Judge (for PCR cases), 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.

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

29.11.2023

NCC:Yes/No

Index : Yes/No

Internet : Yes/No

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To

1. The I Additional District and Sessions Court (for PCR cases),
Thanjavur District.
2. The Deputy Superintendent of Police,
Orathanadu, Thanjavur District.
3. The Sub Inspector of Police,
Vattathikottai 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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