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CrI.O.P.(MD)No.20705 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

**CrI.O.P.(MD) No.20705 of 2023**

1.Aswin @ Aswin Yogesh

2.Wasim @ Mohammed Wasimkhan ... Petitioners/Accused  
Nos.1 and 2

Vs.

1.The Deputy Superintendent of Police,  
Theni,  
Theni District. ...1<sup>st</sup> Respondent/Complainant

2.The Inspector of Police,  
Thenkarai Police Station,  
Theni District.  
(In Crime No.417 of 2023). ...2<sup>nd</sup> Respondent/Complainant

3.Raja ...3<sup>rd</sup> Respondents/Defacto  
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Special Court/PCR, Theni District, to accept the surrender of the petitioners along with bail application in Crime No. 417 of 2023 on the file of the 2<sup>nd</sup> respondent Police herein and to consider and the dispose the bail application on the same day on merits.

For Petitioners : Mr.J.Milton Arul Rajendran

For Respondents : Mr.M.Vaikkam Karunanithi  
Government Advocate (Crl.side)



## **ORDER**

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This Criminal Original Petition is filed, seeking direction to the Special Court/PCR, Theni District, to accept the surrender of the petitioners along with bail application in Crime No. 417 of 2023 on the file of the 2<sup>nd</sup> respondent Police herein and to consider and the dispose the same on the same day on merits.

2.The petitioners are the accused persons in Crime No.417 of 2023 on the file of the 2<sup>nd</sup> respondent police for the offences punishable under Sections 294(b), 323, 506(i) IPC r/w. Sections 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), would submit that after completion of investigation, penal provision under the Special Act, has been deleted.

4. Recording the submissions made by the learned Government Advocate (Crl.Side), liberty is granted to the petitioner to workout their remedy through appropriate proceedings before the concerned Court or Bench as the case may be.



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

**20.11.2023**

NCC: Yes/No

Index : Yes/No

Internet : Yes/No

Indu

To

1. The Deputy Superintendent of Police,  
Theni,  
Theni District.
2. The Inspector of Police,  
Thenkarai Police Station,  
Theni District.  
(In Crime No.417 of 2023).
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**G.ILANGOVAN. J.**

Indu

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