



WEB COPY

CrI.O.P.(MD)No.20798 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.20798 of 2023

1.Murugan

2.Babu

3.Senthamilselvan @ Appu

4.Karthi @ Karthikraja

... Petitioners/Accused
Nos.1 to 4

Vs.

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

2.The Inspector of Police,
Melatur Police Station,
Thanjavur District.
(Crime No.226 of 2023).

...1st and 2nd Respondents/
Complainants

3.Sakthivel

... Respondent No.3/ Defacto

Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to accept the surrender of the petitioners before the Special Court for SC/ST (Prevention of Atrocities) Act i.e The I-Additional District and Sessions Judge at Thanjavur, in connection with the Crime No.226 of



2023 on the file of the 2nd respondent Police and to consider the bail application filed by the petitioners on the same day.

For Petitioner : Mr.K.M.Karunakaran

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

ORDER

This petition has been filed, seeking direction to the Special Court for SC/ST (Prevention of Atrocities) Act i.e The I-Additional District and Sessions Court, Thanjavur, to accept the surrender of the petitioners, in connection with the Crime No.226 of 2023 on the file of the 2nd respondent Police and to consider the bail application filed by the petitioners on the same day.

2.The petitioners are the accused persons in Crime No.226 of 2023 on the file of the 2nd respondent police for the offences punishable under Section 294(b), 324, 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, 2015.

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



no previous is pending against the petitioner Nos.1 and 4. Further, the second accused is having 10 previous cases and the third accused is having one previous case, in similar nature.

4.Considering the facts and circumstances of the case, this Court is inclined to allow this petition in respect of the petitioners No.1 and 4 with following conditions:

1)The petitioners No.1 and 4 shall appear before the Special Court for SC/ST (Prevention of Atrocities) Act i.e The I-Additional District and Sessions Court, 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 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. Considering the bad antecedents of the petitioners No.2 and 3, this Criminal Original Petition is dismissed.



Crl.O.P.(MD)No.20798 of 2023

WEB COPY

6. With the above said, this Criminal Original Petition is partly allowed.

20.11.2023

NCC:Yes/No

Index : Yes/No

Internet : Yes/No

Indu

To

- 1.The I-Additional District and Sessions Court, Thanjavur.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Thanjavur Taluk Sub Division,
Thanjavur District.
- 3.The Inspector of Police,
Melatur Police Station,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CrI.O.P.(MD)No.20798 of 2023

G.ILANGOVAN. J.

Indu

CrI.O.P.(MD)No.20798 of 2023

20.11.2023