



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 22.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD) No.20876 of 2023

S.Jayaraman Pillai @ Jayaraman

... Petitioner/1st Accused

Vs.

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

2. The Inspector of Police,
Pandhannallur Police Station,
Thanjavur District.
Crime No.612/2023.

...1st and 2nd Respondents /
Complainants

3. P.Rajan

...3rd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Sessions Judge, Special Court for Trial of Cases registered under SC/ST(POA) Act, Thanjavur District, to consider the bail application to be filed by the petitioners on the same day of its filing on their surrendering in connection with the case in Crime No.612 of 2023 on the file of the Inspector of Police, Pandhannallur Police Station, Thanjavur District.



For Petitioners : Mr.Dhilipan Pandian R L
For R1 and R2 : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.Side)

ORDER

This petition has been filed to direct the learned Sessions Judge, Special Court for Trial of Cases registered under SC/ST(POA) Act, Thanjavur District, to consider the bail application to be filed by the petitioners on the same day of its filing on their surrendering in connection with the case in Crime No.612 of 2023 on the file of the Inspector of Police, Pandhannallur Police Station, Thanjavur District.

2.The petitioner is the accused persons in Crime No.612 of 2023 on the file of the 2nd respondent Police for the offences punishable under Sections 427, 294(b) and 506(i) of IPC and Sections 3(1)(s), 3(2)(Va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3.Mr.M.Vaikkam Karunanithi, 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 and there is no injury in this case. At that time of alleged occurrence, the petitioner



caused damage to the property of the defacto complainant.

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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 Sessions Judge, Special Court for Trial of Cases registered under SC/ST(POA) Act, 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 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.
- 3) At that time of considering the bail application to be filed by the petitioner, the trial Court may take into account of the damage that is caused by the petitioner at that time of alleged occurrence.



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

22.11.2023

NCC: Yes/No

Index : Yes/No

Internet : Yes/No

Indu

To

1. The Sessions Court,
Special Court for Trial of Cases registered under SC/ST(POA) Act,
Thanjavur District.
2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Thiruvudaimarudhur Sub Division,
Thanjavur District.
3. The Inspector of Police,
Pandhannallur 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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