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CrI.O.P.(MD)No.20917 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.11.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

CrI.O.P.(MD) No.20917 of 2023

Hariharasudan

... Petitioner/1st Accused

Vs.

1. The Deputy Superintendent of Police,
Thiruthoraipoondi Sub Division,
Thiruvarur District.

...1st Respondent/
Investigation Officer

2. The Inspector of Police,
Kottur Police Station,
Thiruvarur District.
Crime No.408 of 2023.

...Respondent No.2/Complainant

3. Kumar

... 3rd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the I Additional District Sessions Judge (Special court for SC/ST Act Cases, PCR), Thanjavur, Thanjavur District to consider and dispose of the bail application filed by the petitioners in Crime No. 408 of 2023 dated 07.11.2023 on the file of the second respondent herein on the same day of his surrender before the said Court.

For Petitioners : Mr.R.Ilayaraja

For R1 and R2 : Mr.M.Vaikkam Karunanithi
Government Advocate (CrI.Side)



ORDER

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This petition has been filed to direct the I Additional District Sessions Judge (Special court for SC/ST Act Cases, PCR), Thanjavur, Thanjavur District to consider and dispose of the bail application filed by the petitioners in Crime No. 408 of 2023 dated 07.11.2023 on the file of the second respondent herein on the same day of his surrender before the said Court.

2.The petitioner is the accused persons in Crime No.408 of 2023 on the file of the 2nd respondent Police for the offences punishable under Sections 147, 294(b), 323 of IPC and Sections 3(1)(r), 3(1)(s), 3(2)(v) 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 injured is discharged from the hospital and two previous cases are pending against the petitioner, which are not in similar nature. Further, it is a case and counter case and the counter case has been registered in Crime No.407 of 2023.



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 I Additional District Sessions Judge (Special court for SC/ST Act Cases, PCR), Thanjavur, 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.

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

22.11.2023

NCC:Yes/No

Index : Yes/No

Internet : Yes/No

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G.ILANGOVAN. J.

Indu

To

1. I Additional District Sessions Court,
Special court for SC/ST Act Cases, (PCR),
Thanjavur, Thanjavur District
2. The Deputy Superintendent of Police,
Thiruthoraipoondi Sub Division,
Thiruvarur District.
3. The Inspector of Police,
Kottur Police Station,
Thiruvarur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD)No.20917 of 2023

22.11.2023