



Crl.O.P.(MD).No.1307 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 30.01.2024

CORAM:

THE HONOURABLE Mr. JUSTICE SATHI KUMAR SUKUMARA KURUP

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1.Yogesh

2.Subadharshini

3.Radha (Vasanth),

4.Balamuralikrishnan

... Petitioners/Accused No.1 to 4

Vs.

1.The Deputy Superintendent of Police,
Thanjavur,
Thanjavur District.

2.The State represented by,
The Inspector of Police,
East Police Station,
Thanjavur.
(Crime No.979 of 2023)

...Respondents 1 & 2/Complainants

3.Arivalagan

...3rd Respondent/De-facto Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the First Additional District Judge Cum P.C.R. Court, Thanjavur to consider the bail application of the Petitioners on same day on their surrender in Cr.No.979/2023 on the file of the Respondent Police in which the Petitioners herein have been arrayed as the Accused 1 to 4



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under Sections 294(b), 324, 355, 506(1) of IPC and Section 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST (POA) Act, 1989.

For Petitioners : Mr.Porkodi Karnan
For M/s.Polax Legal Solutions

For R-1 and R-2 : Mr.M.Veeranthiran
Government Advocate
(Criminal Side)

ORDER

This Criminal Original Petition had been filed seeking direction against the learned First Additional District Judge Cum P.C.R. Court, Thanjavur to consider bail application of the Petitioners on the day of their surrender in Crime No.979 of 2023.

2. The learned Counsel for the Petitioner submitted that there was a dispute between the family members of the Petitioners and the De-facto complainant. The De-facto complainant is the labourer of one Thiagarajan, who is the brother of the third Petitioner's husband. The dispute is with regard to the partition of the family properties. In this regard, the third Respondent had preferred a complaint against the Petitioners and a case was registered in Crime No.979 of 2023 for the offences punishable under Sections 294(b), 324, 355, 506(i) of IPC r/w Sections 3(1)(r), 3(1)(s) 3(2)(va) of the Schedule Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 1989. Hence,



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the Petitioners seek direction against the learned First Additional District Judge Cum P.C.R. Court, Thanjavur to consider their bail application on the day of their surrender.

3. The learned Government Advocate (Criminal Side) would submit that the Petitioners were arrayed as Accused No.1 to 4. The petitioners are alleged to have stabbed the De-facto complainant with knife and abused him by attracting the provisions of Schedule Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015. He further submitted that the De-facto complainant had undergone treatment for 10 days as inpatient and discharged from the hospital. He also submitted that the Petitioners have no previous case.

4. Considering the submissions made by the learned Government Advocate (Criminal Side) and the learned Counsel for the petitioner, this Court directs the Petitioners to surrender before the learned First Additional District Judge Cum P.C.R. Court, Thanjavur, within 15 days from the date of receipt of a copy of this order or from the date of uploading the copy of this order in the official web-site of this Court.

5. On such surrender by the Petitioners and on filing an application for bail, the learned First Additional District Judge Cum P.C.R. Court, Thanjavur,



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shall consider the bail application of the Petitioners and dispose of the same, after issuing notice to the victim of crime / De-facto complainant and after hearing their objections of the victim of the crime, pass appropriate orders as per law.

6. With the above said direction, this Criminal Original Petition is disposed of.

30.01.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To

1. I- Additional District Judge Cum P.C.R. Court,
Thanjavur.
- 2.The Deputy Superintendent of Police,
Thanjavur,
Thanjavur District.
- 3.The Inspector of Police,
East Police Station,
Thanjavur.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Nsr

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