



CrI.O.P.(MD).No.1400 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 31.01.2024

CORAM:

THE HONOURABLE Mr. JUSTICE SATHI KUMAR SUKUMARA KURUP

CrI.O.P.(MD).No.1400 of 2024

1.Murugesan

2.Ramesh

3.Muthukumar @ Muthukumaran ... Petitioners/Accused No.1 to 3

Vs.

1.The Deputy Superintendent of Police,
Orathanadu Sub Division,
Thanjavur.

2.The Inspector of Police,
Vaattathikottai Police Station,
Thanjavur.
(In Crime No.12 of 2024)

...Respondents 1 & 2/Complainants

3.Ravichandran ...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 and Sessions Court for PCR Act Cases, Thanjavur to consider the bail application filed by the Petitioners and pass appropriate orders in the bail application on the same date of their surrender related to the case in Crime No.12 of 2024 on the file of the second Respondent.



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For Petitioners : Mr.S.Ramesh Kumar

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 First Additional District and Sessions Court for PCR Act Cases, Thanjavur to consider bail application of the Petitioners on the day of their surrender in Crime No.12 of 2024.

2. The learned Counsel for the Petitioner submitted that due to dispute between the accused persons and the De-facto complainant, the Petitioners attacked the De-facto complainant with bare hands and abused him by using their caste name. Hence, a complaint was preferred by the third respondent against the petitioners, based on which the case was registered in Crime No.12 of 2024 dated 12.01.2024 for the offences punishable under Sections 294(b), 352, 427, 506(1) IPC, 3(1)(r) , 3(1)(s), 3(2)(va) of Schedule Castes and Schedule Tribes (POA) Act, 1989. Hence, the Petitioner is seeking direction against the First Additional District and Sessions Court for PCR Act Cases, Thanjavur to consider their bail application on the day of their surrender.



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3. The learned Government Advocate (Criminal Side) appearing for the Respondents 1 and 2 would submit that the Petitioners were arrayed as Accused No.1 to 3. The Petitioners are alleged to have abused the De-facto complainant by attracting the provisions of Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. He further submitted that the Petitioners were alleged to have attacked the De-facto complainant with bare hands causing simple injuries.

4. Considering the submissions made by the learned Government Advocate (Criminal Side) and the learned Counsel for the Petitioners, this Court directs the Petitioners to surrender before the First Additional District and Sessions Court for PCR Act Cases, 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 First Additional District and Sessions Court for PCR Act Cases, Thanjavur, 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.



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

31.01.2024

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

To

- 1.First Additional District and Sessions Court for PCR Act Cases,
Thanjavur.
- 2.The Deputy Superintendent of Police,
Orathanadu Sub Division,
Thanjavur.
- 3.The Inspector of Police,
Vaattathikottai Police Station,
Thanjavur.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

Nsr

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