



Crl.O.P.(MD).No.1243 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

Crl.O.P.(MD).No.1243 of 2024

1.Ramesh

2.Muruganantham

... Petitioners/Accused No.1 & 2

Vs.

1.The Deputy Superintendent of Police,
Vallam (Circle),
Thanjavur District.

2.The State represented by,
The Inspector of Police,
Tamil University Police Station,
Thanjavur District.
(Crime No.24 of 2024)

...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 permit the petitioners to surrender before the learned Additional District and Sessions Court PCR Act Cases, Thanjavur in connection with Crime No.24 of 2024 on the file of the Second Respondent Police and file an application for the grant of bail on the same day and in the event of filing the same, the said application may be directed to be considered on the same day on merits and in accordance with law forthwith.



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For Petitioner : Mr.T.Sugadev

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 Additional District and Sessions Court PCR Act Cases, Thanjavur to consider bail application of the Petitioners on the day of their surrender in Crime No.24 of 2024.

2. The learned Counsel for the Petitioner submitted that the petitioners are brothers. There was money transaction between the De-facto complainant's sister and the Petitioners, based on which dispute arose between them. The Petitioners attacked the De-facto complainant and his sister and also abused them using their caste name. In this regard, the third respondent preferred a complaint and a case was registered in Crime No.24 of 2024 on the file of the second Respondent for the offences punishable under Sections 294(b), 323, 506(ii) of IPC r/w Sections 3(1)(r), 3(1)(s) of the Schedule Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 1989. Hence, the Petitioners seek direction against the learned Additional District and Sessions Court 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) would submit that the Petitioners were arrayed as Accused No.1 and 2. The petitioners are alleged to have abused the De-facto complainant 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 suffered only simply injuries. 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 Additional District and Sessions Court 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 learned Additional District and Sessions Court 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.

30.01.2024

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

To

- 1.The learned Additional District and Sessions Court PCR Act Cases,
Thanjavur District.
- 2.The Deputy Superintendent of Police,
Vallam (Circle),
Thanjavur District.
- 3.The Inspector of Police,
Tamil University Police Station,
Thanjavur District.
- 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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