



Crl.O.P.(MD) No.2385 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.2385 of 2024

1. Ajay Kumar

2. Vengadesh

3. Kesavan

4. Rohith

...Petitioners

VS

1. State represented by
The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Thiruvaiyaru Sub Division
Thanjavur District.

2. The Inspector of Police
Thirukattupalli Police Station
Thanjavur District.
(In Crime No.78 of 2024)

3. Kalaiyaran

...Respondents



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PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned I Additional District and Sessions Judge, Special Court for Exclusively Trial of Cases arising under SC/ST, (Prevention of Atrocities) Act, Thanjavur, to accept the surrender of the Petitioners and consider their bail application on the same day on merits in relating to Crime No.78 of 2024 on the file of the second Respondent.

For Petitioners : Mr.K.M.Karunakaran

For R1 & R2 : Mr.M.Veeranthiran
Government Advocate (Crl. side)

ORDER

The learned Counsel for the Petitioners submitted that the Petitioners are arrayed as accused in Crime No.78 of 2024 pending on the file of the Inspector of Police, Thirukattuppalli Police Station and the Petitioners had filed this Criminal Original Petition seeking direction against the learned I Additional District and Sessions Judge, Special Court for Exclusively Trial of Cases arising under SC/ST, (Prevention of Atrocities) Act, Thanjavur, to accept the surrender of the Petitioners and consider their bail application in Crime No.78 of 2024, pending before the second Respondent.



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2. The learned Government Advocate (Criminal Side) appearing for the Respondent Police would submit that one Manikandan drove two wheeler recklessly for which the third Respondent/de-facto complainant questioned him and the Petitioners herein are alleged to have attacked the third Respondent which caused severe injuries and he suffered cut in the ear. The third Respondent/De-facto complainant was admitted in the hospital on 07.02.2024. Hence, the case was registered in Crime No.78 of 2024, based on the complaint of the third Respondent with the second Respondent.

3. 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 learned I Additional District and Sessions Judge, Special Court for Exclusively Trial of Cases arising under SC/ST, (Prevention of Atrocities) Act, 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.



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4. On such surrender by the Petitioners and on filing an application for bail, the learned I Additional District and Sessions Judge, Special Court for Exclusively Trial of Cases arising under SC/ST, (Prevention of Atrocities) Act, Thanjavur, shall consider the bail application of the Petitioners, after issuing notice to the victim of crime/De-facto Complainant, after hearing the objections of the victim of the crime, and shall pass appropriate orders as per law.

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

15.02.2024

NCC : Yes/No
Internet: Yes/No
Index: Yes/No

jbr



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To

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1. The Special Court for (PCR Cases),
Thanjavur.
2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Thiruvaiyaru Sub Division
Pudukottai District.
3. The Inspector of Police
Thirukattupalli 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.

Jbr

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