



Crl.A.(MD)No.117 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.A.(MD)No.117 of 2025

1. Kannan
2. Nandhini
3. Jegadeesan
4. Kesavaraja

... Appellants

versus

1. State of Tamil Nadu,
Rep. by the Superintendent of Police,
Kumbakonam,
Thanjavur District.

2. State by the Inspector of Police,
Patteeswaram Police Station,
Thanjavur District.

3. Suriya

... Respondents

Appeal filed under Section 14A(2) of SC/ST (POA) Amended Act, 2015, seeking to set aside the order of the learned I Additional District and Sessions Judge (PCR), Thanjavur, made in Cr.M.P.No.1317 of 2024 dated 30.12.2024 and allow this appeal by relaxing the conditions imposed in Cr.M.P.No.1317 of 2024 dated 30.12.2024.

For Appellants : Mr.A.Balaji



For R1 and R2 : Mr.P.Kottaichamy,
Government Advocate (Crl. Side)

JUDGMENT

The appellants are accused Nos.1 to 4 in Crime No.334 of 2024 on the file of the second respondent Police, for the offence punishable under Sections 296(b), 115(2), 74, 351(3) of BNS r/w. Sections 3(1)(r), 3(1)(s), 3(2)(va) of the SC/ST (POA) Act altered into Sections 296(b), 115(2) & 74 BNS, r/w. Sections 3(1)(r), 3(1)(s), 3(2)(va) of the SC/ST (POA) Act. After the registration of the case, the appellants have moved an application before this Court in Crl.O.P.(MD)No.17099 of 2024, wherein, this Court by order 14.10.2024, allowed the application on condition that the appellants shall surrender before the concerned jurisdictional Court within a period of fifteen days from the date of receipt of a copy of the order. Subsequently, the appellants have approached the learned I Additional District and Sessions Judge (PCR), Thanjavur and filed a petition in Crl.M.P.No.1120 of 2024. The learned Sessions Judge, by order dated 24.10.2024, allowed the petition on condition that the appellants 1, 3 and 4 shall appear before the Kumbakonam Taluk Police Station daily at 10.00 a.m. until further orders



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and directed the 2nd appellant to appear before the Anna Nagar Police Station, Madurai, daily at 10.00 a.m. until further orders. After complying the condition for several days, the appellants filed a relaxation petition in Crl.M.P.No.1234 of 2024 to relax the conditions imposed in Crl.M.P.No. 1120 of 2024. The learned I Additional District and Sessions Judge (PCR), Thanjavur, by order dated 26.11.2024, modified the condition that the appellants shall appear once in a week on every Monday at 10.00 a.m. Thereafter, the appellants moved another relaxation petition in Crl.M.P.No. 1317 of 2024. The learned I Additional District and Sessions Judge (PCR), Thanjavur, by order dated 30.12.2024, allowed the same modifying the condition that the appellants shall appear on 2nd and 4th Sunday of every month at 10.00 a.m. until further orders. Aggrieved over the same, the present Criminal Appeal has been filed.

2. The learned counsel appearing for the appellants submits that the investigation in Crime No.334 of 2024 was completed and charge sheet has been taken on file in Spl.S.C.No.161 of 2024 and the appellants have entered appearance in Spl.S.C.No.161 of 2024. However, the learned Sessions Judge failed to consider the same.



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3. Considering the fact that the investigation in Crime No.334 of 2024 was completed and charge sheet has also been taken on file in Spl.S.C.No. 161 of 2024, this Criminal Appeal is allowed on condition that the appellants shall appear before the trial Court on all hearing dates without fail.

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

To

1. The learned I Additional District and Sessions Judge (PCR),
Thanjavur.
2. The Superintendent of Police,
Kumbakonam,
Thanjavur District.
3. The Inspector of Police,
Patteeswaram Police Station,
Thanjavur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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