



Crl.O.P.(MD).No.20401 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.11.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.20401 of 2023

M.Kombaiya

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Sathankulam,
Thoothukudi District.

2.State rep.by its
The Inspector of Police,
Sathankulam Police Station,
Thoothukudi District,
Crime No.330 of 2021

3.Kandhasamy

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, To direct the learned Sessions Judge Special Court for Trial of cases under SC/ST(POA) Act Thoothukudi to consider the petitioners bail application and surrender the bail application on the same day in Cr.No.330/2021 on the file of the second respondent.

For Petitioner
For R1 & R2

: Mr.R.J.Karthick
: Mr.M.Vaikkam karunanithi
Government Advocate
(Crl.side)



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ORDER

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This petition has been filed seeking direction to the learned Sessions Judge Special Court for Trial of cases under SC/ST(POA) Act Thoothukudi to consider the petitioners bail application and surrender the bail application on the same day in Cr.No.330/2021 on the file of the second respondent.

2.The petitioner is the accused person in Crime No.330 of 2021 on the file of the 2nd respondent police for the offences punishable under Section 294(b), 427, 435, 506(ii), 379, 428 and 429 of IPC and Section 11(1) (l) of Prevention of Cruelty to Animal Act and Sections 3(1)(r), 3(1) (s) and 3(2)(va) of the Scheduled Caste and Scheduled Tribes (the Prevention of Atrocities) Amendment Act, 2015.

3.Mr.M.Vaikkam Karunanithi, learned Government Advocate (Crl. Side), accepts notice for the respondents 1 and 2. He would further submit that co-accused in this case has surrendered before the trial Court and obtained bail. He would further submit that out of 38 injured pigs, 34 pigs recovered and four pigs died.



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4.Considering the facts and circumstances of the case, this Court is inclined to pass the following orders :-

- 1)The petitioner shall appear before the learned Sessions Judge Special Court for Trial of cases under SC/ST(POA) Act Thoothukudi within a period of 15 days from the date of receipt of a copy of this order.
- 2)On such surrender along with notice served to the defacto complainant, the concerned Judge shall consider the bail application filed by the petitioner and pass orders on merits on the same day of his surrender, after hearing the defacto complainant by complying with Section 15A(3) of the Act.

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

10.11.2023

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



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To

- 1.The learned Sessions Judge
Special Court for Trial of cases under SC/ST(POA) Act,
Thoothukudi
- 2.The Deputy Superintendent of Police,
Sathankulam,
Thoothukudi District.
- 3.The Inspector of Police,
Sathankulam Police Station,
Thoothukudi District,
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN,J.

VSG

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