



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGOVAN

Crl.O.P. (MD)No.11376 of 2021

WEB COPY

1.Mahamuni
2.Murugesan

... Petitioners/ Accused 2 & 1

Vs.

1.State by the Inspector of Police,
Kattuputhur Police Station,
Trichirappalli District,
Crime No.257 of 2021

... 1st Respondent

2.The Deputy Superintendant of Police,
Office of the Deputy Superintendant of Police,
Musiri, Tiruchirappalli District.

... 2nd Respondent

3.Ilayaraja

... 3rd Respondent/Defacto complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Principal District and Sessions Judge, (Special Judge for SC & ST (Prevention of Atrocities) Act), Trichirappalli to consider and dispose of the bail application of the petitioners on merits in connection with the case in Crime No.257 of 2021, on the file of the Inspector of Police, Kattuputhur Police Station, Trichirappalli District, on the same date of their surrender.

For Petitioners	: Mr.B.Vetrivel
For R-1 and R-2	: Mr.R.M.Anbunidhi
	Additional Public Prosecutor

O R D E R

This petition has been filed to direct the learned Principal District and Sessions Judge, (Special Judge for SC & ST (Prevention of Atrocities) Act), Trichirappalli to consider and dispose of the bail application of the petitioners on merits in connection with the case in Crime No.257 of 2021, on the file of the Inspector of Police, Kattuputhur Police Station, Trichirappalli District, on the same date of their surrender.

2.The petitioners are the accused in Crime No.257 of 2021, on the file of the second respondent for the offences punishable under Sections 294(b), 406, 506(i) I.P.C and Sections 3(1)(r) & 3(1)(s) of SC/ST (POA) Amendment Act 2015.

3.Mr.R.M.Anbunithi, learned Additional Public Prosecutor, who accepts notice for the respondents 1 and 2 would submit that no



injury to any person and no previous case is pending against the petitioners.

4.Considering the facts and circumstances of the case and also taking into consideration the submission of the learned Additional Public Prosecutor, this Court is inclined **to allow the petition**, as per the following conditions:-

1)The petitioners shall appear before the learned Principal District and Sessions Judge, (Special Judge for SC & ST (Prevention of Atrocities) Act), Trichirappalli 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 petitioners and pass orders on merits on the same day of their surrender, after hearing the defacto complainant by complying with Section 15(5) of the Act.

5.Accordingly, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Principal District and Sessions Court,
(Special Court for SC & ST (Prevention of Atrocities) Act),
Trichirappalli
- 2.The Inspector of Police,
Kattuputhur Police Station,
Trichirappalli District,
Crime No.257 of 2021.



3.The Deputy Superintendant of Police,
Office of the Deputy Superintendant of Police,
Musiri, Tiruchirappalli District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P. (MD) No.11376 of 2021
13.08.2021

RS (24.08.2021) 3P 5C