



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGOVAN

Crl.O.P. (MD)No.11648 of 2021

WEB COPY

1.Ganesan

2.Dhinakaran Paulraj

3.John Deva Asir

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Sattankulam,
Tuticorin District.

2.The Inspector of Police,
Sattankulam Police Station,
Tuticorin District.
(Crime No.193 of 2021)

3.Vettum Perumal

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Sessions Judge, Special Court for trial of Cases under SC/ST (PoA) Act, Thoothukudi to accept the surrender of the petitioners and to consider the bail application to be filed by the petitioners on the same day in Crime No.193 of 2021 on the file of the 2nd respondent Police.

For Petitioners : Mr.T.A.Ebenezer

For R1 & R2 : Mr.R.M.Anbunidhi

Additional Public Prosecutor(Crl.side)

ORDER

This petition has been filed to direct the learned Sessions Judge, Special Court for trial of Cases under SC/ST (PoA) Act, Thoothukudi to accept the surrender of the petitioners and consider the bail application on the date of their surrender in connection with Crime No.193 of 2021 on the file of the 2nd respondent Police.

2.The petitioners are the accused 1 to 3 in Crime No.193 of 2021 on the file of the 2nd respondent police for the offences punishable under Sections 294(b), 323 and 506 (i) of I.P.C and Section 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

3.Mr.R.M.Anbunithi, learned Additional Public Prosecutor accepts notice for the respondents 1 and 2. He submitted that the 3rd petitioner herein is having 5 previous cases in different nature and



no case is pending against the petitioners 1 and 2. He further submitted that the injured has been discharged from the hospital.

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

1)The petitioners 1 and 2 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 petitioners 1 and 2 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.With the above observation, this petition is disposed of, insofar as the petitioners 1 and 2 are concerned. Insofar as the 3rd petitioner is concerned, this petition is dismissed.

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 Sessions Judge,
Special Court for trial of Cases under SC/ST (PoA) Act,
Thoothukudi.
- 2.The Deputy Superintendent of Police,
Sattankulam,
Tuticorin District.



3.The Inspector of Police,
Sattankulam Police Station,
Tuticorin District.

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

CrI.O.P. (MD) No.11648 of 2021
17.08.2021

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