



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23/08/2021

CORAM:

THE HONOURABLE MR.JUSTICE **G. ILANGO VAN**
Crl.O.P.(MD)No.11934 of 2021

WEB COPY

- 1.Johnkennady @ Kennadi
- 2.Nelson Velankanni @ Nelson
- 3.Savariyar ... Petitioners/Accused No. 1,2 & 4

Vs.

- 1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Vedasandur Sub Division,
Dindigul District.
- 2.State Through
The Inspector of Police,
Erodu Police Station,
Dindigul District. ... Respondents 1 & 2
- 3.Sutharsan ... Respondent No. 3/De-facto Complainant

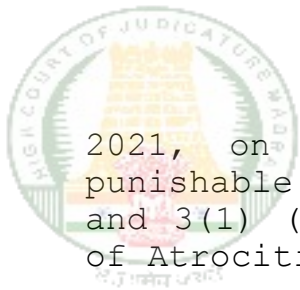
PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Special Court for the exclusive trail for SC and ST cases, Dindigul to consider the bail application filed by the petitioners and pass order in the bail application filed by the petitioners on the same date of their surrender in Crime No.545 of 2021 on the file of the Respondent No.2 in accordance with law.

For Petitioners : Mr.S.Ramesh Kumar
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 Special Court for the exclusive trail for SC and ST cases, Dindigul to consider the bail application filed by the petitioners and pass order in the bail application filed by the petitioners on the same date of their surrender in Crime No.545 of 2021 on the file of the Respondent No.2 in accordance with law.

<https://hcservices.ecourts.gov.in/hcservices/> The petitioners are the accused in Crime No.545 of



2021, on the file of the second respondent for the offences punishable under Sections 147, 294(b), 324, 506(ii) of IPC, 3(1)(r) and 3(1)(s) of the Schedule Castes and Schedule Tribe (Prevention of Atrocities) Amendment Act, 2015.

WEB COPY 3. Mr.R.M.Anbunithi, learned Additional Public Prosecutor who accepts notice for the respondents 1 and 2 would submit that no previous case is pending against the petitioners and the injured was also discharged from the Hospital.

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 Special Court for the exclusive trail for SC and ST cases, Dindigul, 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 (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tta

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 Judge, Special Court for the exclusive trail for SC and ST cases,

Dindigul

<https://hcservices.hcscourt.gov.in/hcservices/>



2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Vedasandur Sub Division,
Dindigul District.

WEB COPY

3.The Inspector of Police,
Erodu Police Station,
Dindigul District.

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

+1 CC to M/s.A.VIGNESH, Advocate (SR-27245[F] dated 25/08/2021)

CrI.O.P. (MD)No.11934 of 2021

23.08.2021

MGJ(02.09.2021) 3P 6C