



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**
Crl.O.P. (MD) No.14126 of 2021

WEB COPY

1. M.Deepak
 2. C.Muthupandi
 3. M.Mariswari
 4. M.Brundha Priya
 5. M.Rajapandi
- ...Petitioners/Accused 1 to 5

Vs.

1. The State through
The Inspector of Police,
All Women Police Station,Theni,
Theni Allinagaram, Tamil Nadu 625531
(In Crime No.28/2021) ...Respondent/Complainant
2. A.Kaviya ...Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, directing the learned Special Judge, Special Court for trial of cases under SC/ST (POA) Act, Theni to consider the bail application on the surrender of the Petitioners/Accused 1 to 5 on the same day in connection with Crime No.28 of 2021 on the file of the 1st Respondent Police and grant the bail on the same day.

For Petitioners : Mr.K.Elangovan
For R1 : Mr.K.Sanjai Gandhi
Government Advocate (Crl.Side)

ORDER

This petition is filed seeking direction to the learned Special Judge, Special Court for trial of cases under SC/ST (POA) Act, Theni to accept the surrender of the petitioners and consider the bail application on the date of their surrender in connection with Crime No.28 of 2021 on the file of the 1st respondent Police.

2.The petitioners are the accused 1 to 5 in Crime No.28 of 2021 on the file of the 1st respondent police for the offences punishable under Sections 498(A), 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.K.Sanjai Gandhi, learned Government Advocate (Crl.side) accepts notice for the 1st respondent. He submitted that the petitioners are having no previous case.

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

1)The petitioners shall appear before the learned Special Judge, Special Court for trial of cases under SC/ST (POA) Act, Theni, 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.With the above observation, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 Special Judge,
Special Court for trial of cases under SC/ST (POA) Act,
Theni.
2. The Inspector of Police,
All Women Police Station,Theni,
Theni Allinagaram, Tamil Nadu 625531
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai;

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



CrI.O.P.(MD)No.14126 of 2021

+1 CC to M/s.K.ELANGO VAN, Advocate (SR-30114[F] dated 23/09/2021)

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NSN (CO)

KB (04.10.2021) 3P 5C