



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2021

WEB COPY

CORAM:
THE HONOURABLE MR.JUSTICE **G.ILANGOVA**
Crl.O.P.(MD)No.14464 of 2021

1. Bhuvaneshwaran
2. Suresh Kumar ... Petitioners
- Vs.
- 1.The Deputy Superintendent of Police,
Bodinayakanur Sub Division,
Bodi Taluk Police Station,
Theni District.
Cr.No.555/2021 ...Respondent/ Complainant
- 2.Vigneshwaran ...Respondent/Defacto-
Complainant
- 3.Vinoth Kumar
- 4.Murugeswari, W/o.Vijayakumar
- 5.Maheshwari ... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Special Court for Trial of Cases under SC/ST (POA) Act , Theni, to consider the bail application to be filed by the petitioners on same day on their surrender in Connection with Crime No.555 of 2021 on the file of the 1st respondent.

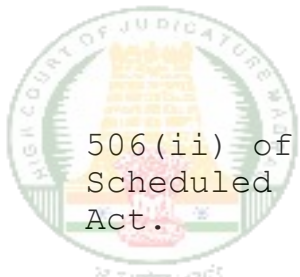
For Petitioners : Mr.S.Thirupathy

For R1 : Mr.K.Sanjai Gandhi
Government Advocate (Crl.side)

ORDER

This petition has been filed to direct the 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 surrender in connection with Crime No.555 of 2021 on the file of the first respondent police.

2.The petitioners herein are the accused Nos.6 and 7 in Crime No.555 of 2021 on the file of the first respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324, 336,



506(ii) of I.P.C and Sections 3(1)(r), 3(1)(s) and 3(2)(VA) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3.Mr.K.Sanjai Gandhi, learned Government Advocate (Crl.side) accepts notice for the first respondent. He submitted that the injured has been discharged from the hospital and the petitioner is 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 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 (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Ls

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 Court for Trial of Cases under SC/ST (POA) Act ,
Theni

2.The Deputy Superintendent of Police,
Bodinayakkanur Sub Division,
Bodi Taluk Police Station,
Theni District .



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

+1 CC to M/s.S.THIRUPATHY, Advocate (SR-30437[F] dated 28/09/2021)

Crl.O.P.(MD)No.14464 of 2021

27.09.2021

_RD(5.10.2021) 3P 5C