



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G. ILANGO VAN**

Crl.O.P. (MD) No.14927 of 2021

WEB COPY

1.Vethanayagam

2.Velsamy

... Petitioners/Accused 1 & 4

Vs .

1.The Deputy Superintendent of Police,
Rural (thalayuthu),
Tirunelveli District.

2.The Inspector of Police,
Manur Police Station,
Tirunelveli District.
(Crime No.394 of 2021)

... Respondents 1 & 2/Complainants

3.Velmurugan

... 3rd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned II Additional District and Sessions Judge, Special Court for exclusive trial of cases under SC/ST (POA) Act, Tirunelveli to consider the bail application of the petitioners in connection with the First Information Report in Crime No.394 of 2021, on the file of the second respondent police on the very same date of their surrender and to dispose of the same on merits and in accordance with law and consequently to release the petitioners on bail.

For Petitioners	: Mr.N.Ramesh Arumugam
For R-1 and R-2	: Mr.RMS.Sethuraman
	Additional Public Prosecutor

O R D E R

This petition has been filed to direct the learned II Additional District and Sessions Judge, Special Court for exclusive trial of cases under SC/ST (POA) Act, Tirunelveli to consider the bail application of the petitioners in connection with the First Information Report in Crime No.394 of 2021, on the file of the second respondent police on the very same date of their surrender and to dispose of the same on merits and in accordance with law.

2.The petitioners are the accused Nos.1 & 4 in Crime No.394 of 2021, on the file of the second respondent for the offences punishable under Sections 341, 294(b), 323, 307, 506(ii) & 379 IPC and Sections 3(i)(r) & 3(i)(s) & 3(2)(va) of SC/ST (POA) Amendment



3.Mr.RMS.Sethuraman, learned Additional Public Prosecutor accepts notice for the respondents 1 and 2. He submits that the injured person was 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 II Additional District and Sessions Judge, Special Court for exclusive trial of cases under SC/ST (POA) Act, Tirunelveli District 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 applications 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 III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vrn

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 II Additional District and Sessions Judge, Special Court for exclusive trial of cases under SC/ST (POA) Act, Tirunelveli

2.The Deputy Superintendent of Police,
Rural (thalayuthu), Tirunelveli District.

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



3.The Inspector of Police,
Manur Police Station,
Tirunelveli District.
(Crime No.394 of 2021)

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

Crl.O.P. (MD) No.14927 of 2021

04.10.2021

PS (CO)/RS (12.10.2021) 3P 5C