



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **05.10.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

Crl.O.P. (MD)No.15040 of 2021

WEB COPY

Godson

..Petitioner/Sole Accused

Vs.

1.The State rep. by

The Deputy Superintendent of Police,
Srivaikundam,
Thoothukudi District.

2.The Inspector of Police,

Eral Police Station,
Thoothukudi District.
(Cr.No.261 of 2021)

..Respondents 1 & 2/Complainants

3.Baby Sugumari

..3rd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct Sessions Judge, Special Court for Trial of Cases Under SC/ST (PoA) Act, Thoothukudi, to consider the petitioner's bail application and dispose the same on the same day, if the petitioner surrender before the Sessions Judge, Special Court for Trial of Cases Under SC/ST (PoA) Act, Thoothukudi, for the case registered in Crime No.261 of 2021 on the file of the 2nd respondent, dated 23.09.2021.

For Petitioner : Mr.K.Vinayagan

For Respondents : Mr.RMS.Sethuraman for R1 and R2

Additional Public Prosecutor

Mr.S.Malaikani for R3

O R D E R

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 petitioner and consider the bail application on the date of his surrender in connection with Crime No.261 of 2021 on the file of the 2nd respondent Police.

2.The petitioner is the sole accused in Crime No.261 of 2021 on the file of the 2nd respondent police for the offences punishable under Sections 294(b), 323, 307, 506(ii) of IPC, r/w



Section 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3.Mr.RMS.Sethuraman, learned Additional Public Prosecutor accepts notice for the respondents 1 and 2. He submitted that no previous case is pending against the petitioner and the injured person has been discharged from the hospital.

4.Mr.S.Malaikani, learned counsel appearing for the third respondent submitted that a young girl has been assaulted and criminally intimidated by the petitioner. But however, this submission can be raised by the third respondent only before the trial Court and this Court is not inclined to going into the merits of the case.

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

1)The petitioner 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 petitioner and pass orders on merits on the same day of his surrender, after hearing the defacto complainant by complying with Section 15(5) of the Act.

6.With the above observation, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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.

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



To

- 1.The Sessions Judge, Special Court for Trial of Cases Under SC/ST (PoA) Act, Thoothukudi
- 2.The Deputy Superintendent of Police,
Srivaikundam,
Thoothukudi District.
- 3.The Inspector of Police,
Eral Police Station,
Thoothukudi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.15040 of 2021
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