



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.10.2021

WEB COPY

CORAM:

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

Crl.O.P.(MD)No.15483 of 2021

Senthil Kumar

... Petitioner/Accused No.1

Vs.

1.The Deputy Superintendent of Police,
Vilathikulam,
Thoothukudi District.

2.The Inspector of Police,
Vilathikulam Police Station,
Thoothukudi District.
(Crime No.463 of 2021)

... Respondents /Complainants

3.Bose

...3rd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Sessions Judge, Special Court for SC & ST Act Cases, Thoothukudi District to consider the bail application of the petitioner on the same day of his surrender in Crime No.463 of 2021, on the file of the second respondent police.

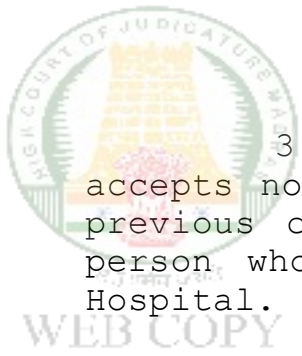
For Petitioners : Mr.M.Karunanithi

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 Sessions Judge, Special Court for SC & ST Act Cases, Thoothukudi District to consider the bail application of the petitioner on the same day of his surrender in Crime No.463 of 2021, on the file of the second respondent police.

2. The petitioner is the first accused in Crime No.463 of 2021, on the file of the second respondent for the offences punishable under Sections 341, 294(b), 324, 506(ii), IPC and Sections 3(i)(m), 3(i)(r), 3(i)(s) & 3(2)(va) of SC/ST (POA) Amendment Act 2015.



3.Mr.RMS.Sethuraman, learned Additional Public Prosecutor accepts notice for the respondents 1 and 2. He submits that no previous case is pending against the petitioner and the injured person who sustained external injuries 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 petitioner shall appear before the learned Sessions Judge, Special Court for SC & ST Act Cases, Thoothukudi 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 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.

5. Accordingly, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (CS-I)

// 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 Special Court for SC & ST Act Cases, Thoothukudi District

2.The Deputy Superintendent of Police,
Vilathikulam, Thoothukudi District.

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



3.The Inspector of Police,
Vilathikulam Police Station,
Thoothukudi District.

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

+1 CC to M/s.M.KARUNANITHI, Advocate (SR-31889[F] dated
11/10/2021)

Crl.O.P. (MD)No.15483 of 2021

08.10.2021

RK (29/10/2021) 3P 6C