



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G. ILANGO VAN**  
Crl.O.P.(MD)No.15506 of 2021

WEB COPY

1.Mariyappan  
2.Balamurugan

... Petitioners/Accused

3 & 4

Vs.

1.The State, Represented by its,  
The Deputy Superintendent of Police,  
Manamadurai,  
Sivagangai District.

...1<sup>st</sup> Respondent /  
Investigation Officer

2.The Inspector of Police,  
Manamadurai Police Station,  
Sivagangai District,  
(Crime No.491 of 2021)

...2<sup>nd</sup> Respondent /  
Complainant

3.Jeyakumar

...3<sup>rd</sup> 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 Exclusive trial of cases under SC/ST (POA) Act, Sivagangai to consider the bail application of the petitioners in connection with the FIR in Crime No.491 of 2021 on the file of the second respondent police on the very same date of the surrender of the petitioners and to enlarge the petitioners on bail on the very same day itself by allowing the petitioners' bail application.

For Petitioners : Mr.M.S.Jeyakarthik  
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 Exclusive trial of cases under SC/ST (POA) Act, Sivagangai to consider the bail application of the petitioners in connection with the FIR in Crime No.491 of 2021 on the file of the second respondent police on the very same date of the surrender of the petitioners and to enlarge the petitioners on bail on the very same day itself by allowing the petitioners' bail



application.

2. The petitioners are the accused Nos.3 to 4 in Crime No.491 of 2021, on the file of the second respondent for the offences punishable under Sections 294(b), 324, 506(ii) IPC and Sections 3(i)(r), 3(i)(s) 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 petitioners and 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 Sessions Judge, Special Court for Exclusive trial of cases under SC/ST (POA) Act, Sivagangai 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 (A.D.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.

