



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.11.2021

CORAM:

THE HON'BLE MR JUSTICE G.ILANGOVAN

Crl.O.P. (MD)No.15792 of 2021

WEB COPY

- 1.Kowrisangar @ Gowrishangar
- 2.Raja @ Raja Shankar
- 3.Kuperan @ C.Kubendran
- 4.Uthrapathy
- 5.Monogaran @ Manogaran

: Petitioners/A1 to A5

Vs.

- 1.The State represented by
The Deputy Superintendent of Police,
Pudukottai,
Pudukottai District.

- 2.The Inspector of Police,
Athanakottai Police Station,
Pudukottai District.
(Crime NO.198 of 2021)

: R1 and R2/Complainants

- 3.Kunasekaran

: R3/De-facto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the learned Special Judge for Scheduled Caste and Scheduled Tribes (POA), Act, Pudukottai District, to consider the bail application to be filed by the petitioners on the same day of its filing on their surrendering in connection with the case in Crime No.198 of 2021 on the file of the Inspector of Police, Athanakottai Police Station, Pudukottai District.

For Petitioner : Mr.R.L.Dhilipan Pandian

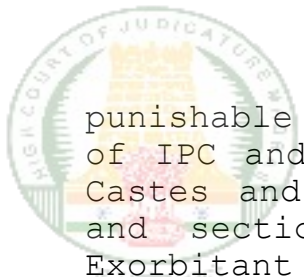
For R1 and R2 : Mr.K.Sanjai Gandhi

Government Advocate (Crl. Side)

O R D E R

This petition is filed to direct the learned Special Judge for Scheduled Caste and Scheduled Tribes (POA), Act, Pudukottai District, to consider the bail application to be filed by the petitioners on the same day of its filing on their surrendering in connection with the case in Crime No.198 of 2021 on the file of the Inspector of Police, Athanakottai Police Station, Pudukottai District.

- 2.The petitioners are the accused Nos.1 to 5 in Crime No.198 of 2021 on the file of the 2nd respondent police for the offences



punishable under Sections 143, 342, 294(b), 323, 506(i), 365 and 379 of IPC and Section 3(1)(e), 3(1)(r) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and sections 3 and 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003.

WEB COPY

3.Mr.L.Dhilipan Pandian, learned counsel appearing for the petitioner and Mr.K.Sanjai Gandhi, learned Government Advocate (Criminal side) appearing for the respondents 1 and 2.

4.Noticing that a counter case has been also registered in respect of the dispute between the parties, in this regard, CD file in respect of the Crime Nos.198 and 199 of 2021 has been called for. On going through the two files, it is seen that both the parties were involved in money transactions, in respect of which, dispute arose between them. So, it is a case and counter case.

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

(1)The petitioners shall appear before the learned Special Judge for Scheduled Caste and Scheduled Tribes (POA) Act, Pudukottai 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 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.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

er

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 Judge
for SC/ST (POA) Act, Pudukottai District.
- 2.The Deputy Superintendent of Police,
Pudukottai,
Pudukottai District.
- 3.The Inspector of Police,
Athanakottai Police Station,
Pudukottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

**CrI.OP (MD) No.15792 of 2021
01.11.2021**

NSN (CO)
GC (14.12.2021) 3P 5C