



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.10.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVA**

Crl.O.P. (MD) No.16089 of 2021

1.Balamurugan

2.Arumugam

... Petitioners/Accused No.1 & 2

Vs.

1.The Deputy Superintendent of Police,

Manamadurai Taluk,

Sivagangai District.

... 1st Respondent/Investigation Officer

2.The State Rep. by

The Inspector of Police,

Thiruppuvanam Police Station,

Sivagangai District.

(In Crime No.408 of 2021)

... 2nd Respondent/Complainant

3.Athimoolan

... 3rd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Special Court for Exclusive Trial of cases under SC/ST (POA) Act, 1989, Sivagangai District, to accept the surrender of the petitioners and consider the bail petition on merits on the date of surrender in Crime No.408 of 2021 on the file of the Thiruppuvanam Police Station, Sivagangai District on the very same day.

For Petitioners : Mr.R.Udhayakumar

For R1 & R2 : Mr.RMS.Sethuraman

Additional Public Prosecutor

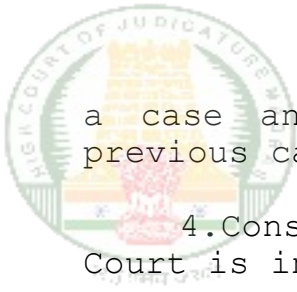
ORDER

This petition is filed seeking direction to the Special Court for Exclusive Trial of cases under SC/ST (POA) Act, 1989, Sivagangai District to accept the surrender of the petitioners and consider the bail application on the date of their surrender in connection with Crime No.408 of 2021 on the file of the 2nd respondent police.

2.The petitioners are the accused 1 and 2 in Crime No.408 of 2021 on the file of the 2nd respondent police for the offences punishable under Sections 294(b), 324 and 506 (ii) of I.P.C and Section 3(1)(r) and 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3.Mr.RMS.Sethuraman, learned Additional Public Prosecutor, who accepts notice for the respondents 1 and 2, would submit that it is

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



a case and case in counter and the petitioners are having no previous case and the injured has been discharged from the hospital.

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

WEB COPY

1)The petitioners shall appear before the Special Court for Exclusive Trial of cases under SC/ST (POA) Act, 1989, Sivagangai 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.

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

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mm

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
Exclusive Trial of cases under SC/ST (POA) Act, 1989,
Sivagangai District.
- 2.The Deputy Superintendent of Police,
Manamadurai Taluk,
Sivagangai District.



3.The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.

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

Cr1.O.P. (MD) No.16089 of 2021
25.10.2021

PS (CO)

RS/PM (08.11.2021) 3P 5C