



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.10.2022

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.16449 of 2022

WEB COPY

1.Kumar @ Vijayakumar

2.Murugesan

...Petitioners / Accused No.1& 2

vs

1.The Deputy Superintendent of Police

Puliyankudi,

Sivagiri Taluk,

Tenkasi District.

..1st Respondent/ Complainant

2.The Inspector of Police

Vasudevanallur Police Station,

Sivagiri Taluk,

Tenkasi District.

In Crime No.167 of 2022.

..2nd Respondent/
Station House Officer

3.Thamaraiselvi

... 3rd Respondent/ Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Special Court for SC/ST Cases (II Additional Sessions Judge), Tirunelveli, to consider the bail application of the Petitioners on the date of filing itself.

For Petitioners : Mr.D.Malaichamy

For R1 & R2 : Mr.R.Suresh Kumar

Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed to direct the learned II Additional Sessions Judge, Special Court for SC/ST Cases, Tirunelveli, to consider the Petitioners' bail application on the same day of surrender in Crime No.167 of 2022 on the file of the second Respondent.

2.When the case came up for hearing, the learned Government Advocate(Crl.Side) for the Respondents 1 and 2 would submit that totally there are four accused. The Petitioners are the accused 1 and 2 and the accused 3 and 4 are still absconding. He would further submit that the first accused has three previous cases, among which one is similar in nature, the third accused has three previous case, out of which one is under the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, and the second



accused has one previous case under IPC offence.

3.Considering the submissions made by the learned Government Advocate (Crl.side), this Criminal Original Petition is allowed with the following conditions:-

i) The Petitioners are directed to surrender before the learned II Additional Sessions Judge, Special Court for SC/ST Cases, Tirunelveli, within a period of 15 days from the date of receipt of a copy of this order or from the date of uploading the copy of this order in the official web-site of this Court.

ii) On such surrender by the Petitioners, the learned II Additional Sessions Judge, Special Court for SC/ST Cases, Tirunelveli, shall consider the bail application of the Petitioners and dispose of the same as per law.

Sd/-

Assistant Registrar (C.O)

// True Copy //

/11/2022

Sub Assistant Registrar(CS)

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To

1.The II Additional Sessions Judge,
Special Court for SC/ST Cases, Tirunelveli.

2.The Deputy Superintendent of Police
Puliyankudi,
Sivagiri Taluk,
Tenkasi District.

3.The Inspector of Police
Vasudevanallur Police Station,
Sivagiri Taluk,
Tenkasi District.

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

+1 CC to M/s.D.MALAICHAMY, Advocate (SR-50590[F] dated
20/10/2022)

CRL.O.P (MD) No.16449 of 2022
19.10.2022

_AMS(31.10.2022) 2P 6C

<https://www.mhc.tn.gov.in/judis>