



Crl.O.P.(MD)No.16865 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.09.2022

CORAM :

THE HONOURABLE Mr. JUSTICE G.JLANGOVAN

Crl.O.P.(MD)No.16865 of 2022

A.Nainar Raja ... Petitioner/ Accused Rank Not Known

Vs.

1.The Deputy Superintendent of Police,
Tiruchendur,
Thoothukudi District. ... 1st Respondent

2.The Inspector of Police,
Tiruchendur Temple Police Station,
Thoothukudi District.
(Crime No.103 of 2022) ... 2nd Respondent/Complainant

3.Manikandan ... 3rd Respondent/Defacto
Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Sessions Judge, Special Court for Trial of cases under SC/ST(POA) Act, Thoothukudi, to consider the petitioner's bail application and dispose the bail application on the same day of surrender in Crime NO.103 of 2022 on the file of the 2nd respondent.

For Petitioner : Mr.S.Suresh Manickam

For Respondents 1 & 2 : Mr.R.Suresh Kumar
Government Advocate (Crl. Side)



Crl.O.P.(MD)No.16865 of 2022

ORDER

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The petitioner is the accused in Crime No.103 of 2022 on the file of Tiruchendur Temple Police Station, Thoothukudi District, and the offences alleged against the accused are under Sections 147, 148, 149, 447, 294(b), 323, 324 of IPC r/w 3 of Tamil Nadu Public Property Damage and Loss Act and Section 3(1)(r), 3(1)(s), 3(2)(Va) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

2. The present petition filed by the petitioner is to direct the learned Sessions Judge, Special Court for Trial of cases under SC/ST(POA) Act, Thoothukudi, to accept the surrender of the petitioner and also to consider the bail application on the same day.

3. Mr.R.Suresh Kumar, learned Government Advocate (Crl. Side) accepts notice for the respondents 1 and 2. The third respondent is the de-facto complainant.

4. The learned Government Advocate (Crl.Side) would submit that no bad antecedent is reported against the petitioner and injured were discharged from the hospital.



Crl.O.P.(MD)No.16865 of 2022

5. Since the prayer itself is to accept the surrender of the petitioner and consider the bail application, this Court is inclined to pass the following orders :-

- 1) The petitioner should appear before the learned Sessions Judge, Special Court for Trial of cases under SC/ST(POA) Act, Thoothukudi, within a period of 15 days, from the date of uploading the order copy in the website of this Court *and*
- 2) On such surrender, concerned Sessions Judge, may consider the bail application filed by the petitioner on merits on the same day of surrender, after giving notice to the concerned Public Prosecutor and by complying Section 15A(5) of the Act.

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

30.09.2022

Index : Yes/No

Internet: Yes/No

dss

To

1. The learned Sessions Judge, Special Court for Trial of cases under SC/ST(POA) Act, Thoothukudi.

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



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Crl.O.P.(MD)No.16865 of 2022

G.ILANGO VAN, J.,

dss

- 2.The Deputy Superintendent of Police,
Tiruchendur,
Thoothukudi District.
- 3.The Inspector of Police,
Tiruchendur Temple Police Station,
Thoothukudi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD)No.16865 of 2022

30.09.2022