



Crl.O.P.(MD)No.17522 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.17522 of 2022

1.Durai @ Duraipandi	... Petitioner/Accused No.2
2.Thirumalaikumar	
3.Chairman	... Petitioners/Accused (Rank Not Known)

Vs.

1.The Assistant Commissioner of Police, Tirunelveli Junction Sub-Division, Tirunelveli City. (Crime No.259 of 2022)	
2.The Inspector of Police, Tirunelveli Junction Police Station, Tirunelveli City. (Crime No.259 of 2022)	... Respondents 1&2/Complainants
3.C.Murugan	... 3 rd Respondent/Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned 2nd Additional Sessions Judge, Special Court for SC/ST (POA) Act, Tirunelvli to consider the bail application of the petitioners on the same day of their surrender in Crime No.259 of 2022 on the file of the 1st and 2nd respondents police.

For Petitioners : Mr.N.Pragalathan

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



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ORDER

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The petitioners are the accused in Crime No. 259 of 2022 on the file of Tirunelveli Junction Police Station, Tirunelveli City, and the offences alleged against the accused are under Sections 147, 294(b), 323, 506(i) of IPC and Section 3(1)(r), 3(1)(s), 3(2)(va) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Amendment Act, 2015.

2. The present petition filed by the petitioners is to direct the learned 2nd Additional Sessions Judge, Special Court for SC/ST (POA) Act, Tirunelveli, to accept the surrender of the petitioners 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 petitioners and injured was discharged from the hospital.



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

- 1) The petitioners should appear before the learned 2nd Additional Sessions Judge, Special Court for SC/ST (POA) Act, Tirunelveli, 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 petitioners 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 2nd Additional Sessions Judge, Special Court for SC/ST (POA) Act, Tirunelveli.



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G.ILANGO VAN, J.,

dss

- 2.The Assistant Commissioner of Police,
Tirunelveli Junction Sub-Division,
Tirunelveli City.
- 3.The Inspector of Police,
Tirunelveli Junction Police Station,
Tirunelveli City.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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