



CrI.O.P.(MD) No.20441 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2022

CORAM:

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

CrI.O.P.(MD) No.20441 of 2022

1. Gopinath
2. Kalaiyarasan
3. Balasubramanian
4. Arunkumar
5. Elavarasan

: Petitioners

Vs

1. The Deputy Superintendent Of Police,
Dindigul Sub Division, Dindigul.

2. The Inspector of Police,
Natham Police Station,
Dindigul

3. Ramar,

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to direct the learned Sessions Judge, Special Court for Exclusive Trial of SC and ST Cases, Dindigul District to consider the bail application for the Petitioner on the same day in the event of surrender by the Petitioner and seek bail in Crime No.42 of 2016, on the file of the second respondent.



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For Petitioners : Mr.B.Vinoth Kumar

For R1 and R2 : Mr.R.Suresh Kumar
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed for a direction to direct the learned Sessions Judge, Special Court for Exclusive Trial of SC and ST Cases, Dindigul District, to consider the petitioners' bail application on the same day of their surrender in Crime No. 42 of 2016 on the file of the second respondent police.

2.The petitioners are the accused Nos.7 to 9, 11 and 14 in Crime No.42 of 2016 on the file of the 2nd respondent police for the offences punishable under Sections 147, 148, 341, 294(b), 336, 427 IPC, r/w Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3.Mr.R.Suresh Kumar, learned Government Advocate (Crl. side) accepts notice for the respondents 1 and 2. He submitted that in this case, final report was filed before the concerned Court and NBW was issued against the petitioners. The first petitioner is having one previous case.



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4.Considering the facts and circumstances of the case and since the trial Court has issued warrant against the petitioners, without issuing summons, this Court is inclined to pass the following orders :-

1)The petitioners shall appear before the learned Sessions Judge, Special Court for Exclusive Trial of SC and ST Cases, Dindigul 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 15A(5) of the Act.

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

18.11.2022

Internet:Yes
Index:Yes/No

PNM

Note: ***Issue order copy on 21.11.2022***

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To

1. The Sessions Judge,
Special Court for Exclusive Trial of SC and ST Cases,
Dindigul District.

2. The Deputy Superintendent Of Police,
Dindigul Sub Division, Dindigul.

3. The Inspector of Police,
Natham Police Station,
Dindigul

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



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G.ILANGOVAN, J.

PNM

ORDER IN
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