



Crl.O.P.(MD) No.21186 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2022

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.21186 of 2022

Subash Chandar @ Subash

...Petitioner

vs

1. The Deputy Superintendent of Police
Paramakudi
Ramanathapuram District

2. The State represented by its
The Inspector of Police
Chatrakudi Police Station
Ramanathapuram District

3. Rajive Gandhi

4. Saroja

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, 1989, Ramanathapuram, to consider the bail application of the petitioner in connection with the FIR in Crime No.167 of 2022 on the file of the second respondent police on the very same date of the surrender of the petitioner and consequently to enlarge the petitioner on bail on the very same itself by disposing the petitioner's bail application.



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For Petitioner : Mr.M.S.Jeyakarthik
For R1 & R2 : Mr.R.Suresh Kumar
Government Advocate (Crl. side)

ORDER

This Criminal Original Petition had been filed to direct the Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, 1989, Ramanathapuram, to consider the bail application of the Petitioner in connection with the FIR in Crime No.167 of 2022 on the file of the second Respondent police on the very same date of the surrender of the Petitioner and consequently to enlarge the Petitioner on bail on the very same itself by disposing the Petitioner's bail application.

2.The Petitioner is the accused for the offences punishable under Sections 294(b), 323,506(i) of IPC and Section 4 of TNPHW Act and Sections 3(1)(r), 3(1)(s) of SC/ST (PoA) Act, 1989 in Crime No. 167 of 2022, pending on the file of the second Respondent Police and apprehending arrest, he has filed the present Petition.

3. Heard the learned counsel appearing for the Petitioner, the learned Government Advocate(Crl.Side) and perused the materials available on



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record. the learned Government (Crl.Side) would submit that no previous case is pending against the Petitioner and the injured sustained only simple injuries.

4. Considering the nature of offences alleged against the Petitioner, this Criminal Original Petition is allowed. The Petitioner is directed to surrender before the Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, 1989, Ramanathapuram within a period of 15 days from the date of receipt of copy of this order or 15 days from the date of uploading the order copy on the website of this Court. The learned Judge shall consider the bail application of the Petitioner and dispose of the same as per law. The Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, 1989, Ramanathapuram, shall cause notice to the De-Facto Complainant regarding the bail application when the bail application is filed.

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Internet:Yes./No

Index:Yes/no

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To

1. The Special Court for Exclusive Trial of Cases
under SC/ST (POA) Act, 1989, Ramanathapuram
2. The Deputy Superintendent of Police
Paramakudi
Ramanathapuram District
3. The Inspector of Police
Chatrakudi Police Station
Ramanathapuram District
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

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