



Crl.O.P.(MD)No.22192 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **15.12.2022**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P.(MD)No.22192 of 2022

1. Rajammal,
 2. Thilaga @ Rajathilagam,
 3. Palpandiyan @ Palpandi,
 4. Paramaraj @ Paramanaicker
- ... Petitioners / Accused
Nos.2 to 5

Vs.

1. The Deputy Superintendent of Police,
Bodi Sub Division,
Theni District.
 2. The State, represented by
The Inspector of Police,
Bodinayakkanur Rural Police Station,
Theni District.
(Crime No.356 of 2022)
 3. Gomathi
- ... Respondents 1 and 2 /
Complainants
- ... 3rd Respondent / Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Learned Sessions Judge, (PCR Court), Special Court for Exclusively Trial of Cases under SC/ST (POA) Act, Theni, to consider the bail petition of the Petitioners on the same day on their



surrender in connection with Cr.No.356 of 2022 on the file of the second respondent Police.

For Petitioners : Mr. Saravanakumar.C
For R1 and R2 : Mr. Antony Sahaya Prabahar.E
Additional Public Prosecutor

ORDER

This petition has been filed to direct the Learned Sessions Judge, Special Court for Exclusively Trial of Cases under SC/ST (POA) Act (PCR Court), Theni, to consider the bail petition of the Petitioners on the same day on their surrender in connection with Cr.No.356 of 2022 on the file of the second respondent Police.

2.The petitioners are the accused persons in Crime No.356 of 2022 on the file of the 2nd respondent police for the offences punishable under Section 294(b), 323, 354, 506(ii) of IPC, Secion 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 and Sections 3(1)(r), 3(1)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

3.Mr.E.Antony Sahaya Prabahar, learned Additional Public Prosecutor accepts notice for the respondents 1 and 2. He submitted that



the first petitioner is the mother, the petitioners 2 and 3 are the relatives and fourth petitioner is the father of the first accused.

4.Considering the limited overt act attributed against the petitioners and also facts and circumstances of this case, this Court is inclined to pass the following orders :-

1)The petitioners shall appear before the Learned Sessions Judge, Special Court for Exclusively Trial of Cases under SC/ST (POA) Act (PCR Court), Theni, 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.

15.12.2022

Index : Yes/No
Internet : Yes/No
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G.ILANGOVAN. J.

indu

To

1. The learned Sessions Judge,
Special Court for Exclusively Trial of
Cases under SC/ST (POA) Act, (PCR Court),
Theni,
2. The Deputy Superintendent of Police,
Bodi Sub Division,
Theni District.
3. The Inspector of Police,
Bodinayakkanur Rural Police Station,
Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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