



Crl.O.P.(MD)No.4265 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **15.03.2023**

CORAM:

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

Crl.O.P.(MD)No.4265 of 2023

1.Krishnan
2.Ravikumar
3.Martin @ Vijayakumar
4.Rajkumar @ Rasaiya
5.Chinnadurai @ Jeyakumar ... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Srivaikundam Division,
Thoothukudi District.
2.The Inspector of Police,
Eral Police Station,
Thoothukudi District.
(Crime NO.49 of 2023) ... Respondents/Complainants

3.Ramar ... 3rd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Additional District and Sessions Judge (Special Court for SC/ST (POA) Act Cases), Thoothukudi, to consider the bail applications of the petitioners on the same date of their surrender in connection with Crime No.44 of 2023, registered on the file of the 2nd respondent.



WEB COPY

Crl.O.P.(MD)No.4265 of 2023



For Petitioners : Mr.V.Angusamy

For Respondents : Mr.R.Suresh Kumar

for R1 & R2

Government Advocate (Crl. Side)

ORDER

This petition has been filed to direct the learned Additional District and Sessions Judge (Special Court for SC/ST (POA) Act Cases), Thoothukudi, to accept the surrender of the petitioners and consider the bail application on the date of their surrender in connection with Crime No. 44 of 2023 on the file of the 2nd respondent Police.

2.The petitioners are the accused persons in Crime No.44 of 2023 on the file of the 2nd respondent police for the offences punishable under Section 147, 294(b), 323, 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, r/w Section 3(1)(r), 3(1)(s) and 3(2)(Va) 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 would further submitted that in respect of A1 and A3 no previous case is pending and in respect of other accused persons, they have some previous cases against them, but



not similar in nature.

WEB COPY

4.Considering the facts and circumstances of the case, this Court is inclined to pass the following orders :-

- 1)The petitioners shall appear before the learned Additional District and Sessions Judge (Special Court for SC/ST (POA) Act Cases), Thookudi, 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. The trial Court shall taken into consider the previous antecedents of the petitioners while passing orders on merits.

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

15.03.2023

Index : Yes/No
Internet : Yes/No
TM



Crl.O.P.(MD)No.4265 of 2023

To

- 1.The Additional District and Sessions Judge (Special Court for SC/ST (POA) Act Cases), Thoothukudi.
- 2.The Deputy Superintendent of Police,
Srivaikundam Division,
Thoothukudi District.
- 3.The Inspector of Police,
Eral Police Station,
Thoothukudi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.4265 of 2023

G.ILANGOVAN. J.

TM

Crl.O.P.(MD)No.4265 of 2023

15.03.2023