



Crl. A.(MD)No.239 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATE : 28.04.2023

CORAM

THE HONOURABLE MR. JUSTICE K.MURALI SHANKAR

Crl. A.(MD)No.239 of 2023

Prabhu @ Prabakaran

... Appellant/Petitioner

Vs.

1.The Deputy Superintendent of Police,
Periyakulam Sub Division,
Theni District.
(Devathanapatti PS.
Crime No.391 of 2016)

... 1st Respondent/Complainant

2.Muthupandi

... 2nd Respondent/Defacto
Complainant

Prayer : This Criminal Appeal is filed under Section 14(A)(2) of Scheduled Caste / Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, to set aside the order of the learned Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, Theni in Crl.M.P.No.250 of 2023 dated 20.02.2023 and enlarge the appellant on bail in Crime No.391 of 2016 on the file of the first respondent.

For Appellant : Mr.S.Muthukumar

For R1 : Mr.A.Albert James
Government Advocate (Crl. Side)

For R2 : M/s.S.Prabha
Legal Aid Counsel



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above case. He would further submit that the appellant is in judicial custody

from 19.12.2022.

5. When the matter is taken up for hearing today, the learned Government Advocate (Criminal Side) appearing for the first respondent as well as the learned counsel appearing for the second respondent would submit that the prosecution has already examined the prosecution witnesses and the case is now stand posted for cross-examination of P.W.12.

6. Considering the above facts and circumstances and also the fact that the case is pending from 2016 onwards and also taking note of the fact that the trial is at the fag end, this Court is not inclined to enlarge the appellant on bail. However, the trial Court is directed to complete the trial and dispose of the case in Spl.S.C.No.47 of 2020 within a period of two months from the date of receipt of a copy of this judgment.

7. With the above direction, this Criminal Appeal is disposed of.

28.04.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
csm



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K.MURALI SHANKAR, J.

csn

To

- 1.The Sessions Judge,
Special Court for trial of cases under SC/ST (POA) Act,
Theni.
- 2.The Deputy Superintendent of Police,
Periyakulam Sub Division,
Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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Dated : 28.04.2023