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Crl.O.P.(MD)No.7349 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.04.2023**

CORAM:

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

Crl.O.P.(MD)No.7349 of 2023

Balammal

... Petitioner/Accused No.3

Vs.

1.State rep. by its, The Deputy Superintendent of Police,
Uthamapalayam Sub-Division,
Gudalur South Police Station,
Theni District.
(Crime No.36 of 2023)

... 1st Respondent/Complainant

2.Satheesh

... 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to accept the surrender in Cr.No.36 of 2023, pending on the file of the respondent police by the learned Special Court for Trial of Cases under SC/ST (POA) Act, Theni and consider the bail petition filed by the petitioner to enlarge petitioner on bail on the same day of her surrender.

For Petitioner : Mr.T.Balakrishnan

For Respondents : Mr.B.Nambiselvan for R1
Additional Public Prosecutor



ORDER

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This petition has been filed to direct the learned District and Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Theni, to accept the surrender of the petitioner and consider the bail application on the date of their surrender in connection with Crime No. 36 of 2023 on the file of the 2nd respondent Police.

2.The petitioner is the accused persons in Crime No.36 of 2023 on the file of the 2nd respondent police for the offences punishable under Section 294(b), 324, 506(ii) of IPC @ 294(b), 324, 506(ii) of IPC and Sections 3(1)(r), 3(1)(s) & 3(2)(Va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3.Mr.B.Nambiselvan, learned Additional Public Prosecutor, accepts notice for the respondents 1. He would further submit that the injured person in this case has been discharged from the hospital.

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

- 1)The petitioner shall appear before the learned District and Sessions Judge, Special Court for



Trial of Cases under SC/ST (POA) Act, 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 petitioner and pass orders on merits on the same day of their surrender, after hearing the defacto complainant by complying with Section 15A(3) of the Act.

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

20.04.2023

Index : Yes/No
Internet : Yes/No
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To

1.The District and Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Theni.

2.The Deputy Superintendent of Police,
Uthamapalayam Sub-Division,
Gudalur South Police Station,
Theni District.

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



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G.ILANGOVAN. J.

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