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Crl.O.P.(MD)No.7111 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **19.04.2023**

CORAM:

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

Crl.O.P.(MD)No.7111 of 2023

Nehru

... Petitioner/Accused No.1.

Vs.

1.The Deputy Superintendent of Police,
Thiruppathur, Sivagangai District.

2.The State Represented by the Inspector of Police,
Singampunari Police Station,
Sivagangai District.
(Crime NO.58 of 2023)

... Respondents/Complainant

3.K.Sekar

... Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to pass an order permitting the petitioner to surrender before the Special Court for Exclusive Trial of Cases under SC/AT (POA) Act, 1989, Sivagangai in connection with Crime No.58 of 2023 on the file of the 2nd respondent police and file an application for the grant of bail on the same day and in the event of filing the same, the said application may be directed to be considered on the same day on merits and in accordance with law forthwith.



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For Petitioner : Mr.R.Manickaraj

For Respondents : Mr.B.Nambiselvan for R1 & R2
Government Advocate (Crl. Side)

ORDER

This petition has been filed to direct the learned District and Sessions Judge, Special Court for Exclusive Trial of Cases under SC/AT (POA) Act, 1989, Sivagangai, to accept the surrender of the petitioners and consider the bail application on the date of their surrender in connection with Crime No. 58 of 2023 on the file of the 2nd respondent Police.

2.The petitioners are the accused persons in Crime No.58 of 2023 on the file of the 2nd respondent police for the offences punishable under Section 147, 294(b), 323, 324 of IPC, Section 4 of TNPWH Act, Section 3(1)(r) and 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2015.

3.Mr.B.Nambiselvan, learned Additional Public Prosecutor, accepts notice for the respondents 1 and 2. He would submit that the injured person in this case has been discharged from the hospital.



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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 Exclusive Trial of Cases under SC/AT (POA) Act, 1989, Sivagangai, 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 his 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.

19.04.2023

Index : Yes/No
Internet : Yes/No
TM

To

1.The District and Sessions Judge, Special Court for Exclusive Trial of Cases under SC/AT (POA) Act, 1989, Sivagangai.



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- 2.The Deputy Superintendent of Police,
Thiruppathur, Sivagangai District.
- 3.The Inspector of Police,
Singampunari Police Station,
Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

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