



CrI.O.P.(MD)No.7209 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **19.04.2023**

CORAM:

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

CrI.O.P.(MD)No.7209 of 2023

1.Gopi @ Anbuselvam
2.Singaravelan ... petitioners/Accused Nos.2 and 3
Vs.

1.The Deputy Superintendent of Police,
Paramakudi,
Ramanathapuram.
2.The Inspector of Police,
Nainarkovil Police Station,
Ramanathapuram District. ... 1st and 2nd Respondents/Complainants
3.Thayanithi ... 3rd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Special Judge for SC/ST (Prevention of Atrocities) Act, Ramanathapuram, to accept the surrender and consider the bail application of the petitioners's on the same day of their surrender in Crime No.54 of 2023 of Nainarkovil Police Station.

For petitioners : Mr.B.Rama Moorthi

For Respondents : Mr.B.Nambiselvan for R1 & R2
Additional Public Prosecutor



ORDER

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This petition has been filed to direct the Special Judge for SC/ST (Prevention of Atrocities) Act, Ramanathapuram, to accept the surrender and consider the bail application of the petitioners's on the same day of their surrender in Crime No.54 of 2023 of Nainarkovil Police Station.

2.The petitioners are the accused persons in Crime No.54 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 294(b), 323, 427, 506(ii) of IPC and Section 3(1)(r), 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

3.Mr.B.Nambiselvan, learned Additional Public Prosecutor, accepts notice for the respondents 1 and 2. He would further submit that the second petitioner namely Singaravelan is involved in previous case in Crime No.2 of 2018 which is similar in nature, now it is pending trial. The first petitioner having no bad antecedents.

4. So far the first petitioner is concerned, this petition is allowed since he has no bad antecedents. So far the second petitioner is concerned, this petition is dismissed considering his bad antecedents.



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

1)The 1st petitioner shall appear before the Special Court for SC/ST (Prevention of Atrocities) Act, Ramanathapuram, 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 partly allowed.

19.04.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
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G.ILANGOVA. J.

Indu

To

- 1.The Special Court for SC/ST (Prevention of Atrocities) Act,
Ramanathapuram.
- 2.The Deputy Superintendent of Police,
Paramakudi,
Ramanathapuram.
- 3.The Inspector of Police,
Nainarkovil Police Station,
Ramanathapuram District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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