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Crl.O.P.(MD)No.7311 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.7311 of 2023

Rajamohamed

... Petitioner/Accused

(Rank not Known)

Vs.

1.The Deputy Superintendent of Police,
Dindigul Rural,
Dindigul District.

2.State:

Rep. The Inspector of Police,
Natham Police Station,
Dindigul District.

(Crime No.92 of 2023)

... Respondents/Complainants

3.Thangapandi

... 3rd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the Special Court Judge/PCR, Dindigul District, consider the bail application to be filed by the petitioner on same day on their surrender in connection with crime no.92/2023 on the file of the 2nd respondent.

For Petitioner : Mr.V.Karuna

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



ORDER

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This petition has been filed to direct the learned District and Sessions Judge (Special Court/PCR Cases), Dindigul, to accept the surrender of the petitioner and consider the bail application on the date of their surrender in connection with Crime No. 92 of 2023 on the file of the 2nd respondent Police.

2.The petitioner is the accused persons in Crime No.92 of 2023 on the file of the 2nd respondent police for the offences punishable under Section 147, 294(b), 323, 324, 354 of IPC and r/w. Sections 3(1)(r), 3(1)(s) & 3(2)(Va) 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 submit that grievous allegation has been made against the accused and that may be considered by the Special Court at the time of considering the bail application.

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/PCR Cases), Dindigul, 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
TM

To

- 1.The District and Sessions Judge (Special Court/PCR Cases), Dindigul.
- 2.The Deputy Superintendent of Police, Dindigul Rural,
Dindigul District.
- 3.The Inspector of Police, Natham Police Station, Dindigul District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGOVAN. J.

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