



Crl.O.P.(MD)No.7520 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **24.04.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVA**

Crl.O.P.(MD)No.7520 of 2023

Sivanesan

... Petitioner/Accused No.4

Vs.

1.The Deputy Superintendent of Police,
Kulithalai Sub Division,
Karur District.

2.The Inspector of Police,
Kulithalai Police Station,
Karur District.

3.Jothimani

4.Pattavarthi

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Principal District and Sessions Court, Karur, Karur District cum Special Court for Trial of cases under SC/ST (POA) Act, 1989, to consider the bail application of the petitioner to be filed in Crime No.135/2023 on the file of the 2nd respondent police and to accept his surrender on the same day on merits.

For Petitioners : Mr.R.Balamuruganantham

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



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ORDER

This petition has been filed to direct the learned Principal District and Sessions Court, Karur, Karur District cum Special Court for Trial of cases under SC/ST (POA) Act, 1989, to consider the bail application of the petitioner to be filed in Crime No.135/2023 on the file of the 2nd respondent police and to accept his surrender on the same day on merits.

2. The petitioners are the accused persons in Crime No.135 of 2023 on the file of the 2nd respondent police for the offences punishable under Section 294(b), 323, 427, 452, 506(2) of IPC and 3(1)(s), 3(2)(Va) 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 further submitted that injured person has been discharged from the hospital. The damage caused by the petitioner may be considered by the trial Court.

4. Let the trial Court take the above said aspect while considering the petition.



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

- 1) The petitioners shall appear before the learned Principal District and Sessions Judge, Karur, Karur District cum Special Court for Trial of cases under SC/ST (POA) Act, 1989, 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 their surrender, after hearing the defacto complainant by complying with Section 15A(3) of the Act.

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

24.04.2023

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

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G.ILANGOVAN. J.

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To

1. The Principal District and Sessions Court, Karur, Karur District cum Special Court for Trial of cases under SC/ST (POA) Act, 1989.
2. The Deputy Superintendent of Police, Kulithalai Sub Division, Karur District.
3. The Inspector of Police, Kulithalai Police Station, Karur District.
4. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

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