



Crl.O.P.(MD)No.7505 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **24.04.2023**

CORAM:

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

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- 1.M.Gowtham
- 2.M.Sivaanand
- 3.Marudhu @ R.Marudupandi
- 4.A.Anbuselvam
- 5.M.Vasanth
- 6.M.Ajith @ Ajith Kumar
- 7.V.Kalaimuthu
- 8.P.Satheeskumar
- 9.P.Sathiyamoorthi

... Petitioners/Accused

Vs.

- 1.The Deputy Superintendent of Police,
Rajapalayam,
Virudhunagar District.
- 2.The State represented by
The Inspector of Police,
Dhalavaipuram Police Station,
Virudhunagar District.
(In Crime No.43 of 2023).

- 3.Velmurugan

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Special Court SC/ST (POA) Sessions Court,



Virudhunagar District at Srivilliputhur to accept the surrender of the petitioners and consider the bail application to be filed by the petitioners on the same day on merits in Crime No.43 of 2023 on the file of the 2nd respondent police.

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

ORDER

This petition has been filed to direct the learned Special Judge SC/ST (POA) Sessions Court, Virudhunagar District at Srivilliputhur, to accept the surrender of the petitioners and consider the bail application on the date of their surrender in connection with Crime No. 43 of 2023 on the file of the 2nd respondent Police.

2.The petitioners are the accused persons in Crime No.43 of 2023 on the file of the 2nd respondent police for the offences punishable under Section 147, 341, 294(b), 323, 324, 336, 427, 506(ii) of IPC and Section 4 of TN Prohibition of Harassment of Women Act, 2002 and r/w 3(1)(r), 3(1)(s), 3(2)(Va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2015.



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3.Mr.B.Nambiselvan, learned Additional Public Prosecutor, accepts notice for the respondents 1 and 2. He would further submitted that it is a case in counter. There are some damages caused by the petitioners. Injured person has been discharged from the hospital.

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

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 Special Judge SC/ST (POA) Sessions Court, Virudhunagar District at Srivilliputhur, 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.



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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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To

- 1.The Special Court SC/ST (POA) Sessions Court,
Virudhunagar District at Srivilliputhur.
- 2.The Deputy Superintendent of Police,
Rajapalayam,
Virudhunagar District.
- 3.The State represented by
The Inspector of Police,
Dhalavaipuram Police Station,
Virudhunagar District.
(In Crime No.43 of 2023).
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

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