



Crl.O.P.(MD) No.7673 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2023

CORAM:

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

Crl.O.P.(MD) No.7673 of 2023

1. S.Sundar

2. S.Thirumali Balaji @ Balaji

3. K.Nanthakumar

... Petitioners

Vs

1. The Deputy Superintendent Of Police,
O/o the Deputy Superintendent of Police,
Periyakulam, Theni District, Theni.

2. The Inspector of Police,
Jayamangalam Police Station,
Theni District. (Crime No.95/2023).

3. K.Pandi

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to direct the Special Court for SC/ST(Prevention of Atrocities Act) Theni to consider the surrender and bail application filed by the petitioners in Crime No.95/2023 pending on the file of the 2nd respondent police.



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For Petitioners : Mr.M.Mohamed Rafi

For R1 and R2 : Mr.B.Nambiselvan
Additional Government Pleader

ORDER

This Criminal Original Petition had been filed for a direction to direct the learned Judge, Special Court for SC/ST(Prevention of Atrocities Act) Theni, to consider the petitioners' bail application, on the same day of surrender in Crime No. 95 of 2023, on the file of the second respondent police.

2.The petitioners are A1 to A3 in Crime No.95 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 294(b), 323, 506(1)IPC, r/w Section 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3.Mr.B.Nambiselvan, learned Additional Government Pleader accepts notice for the respondents 1 and 2.

4.Considering the facts and circumstances of the case, this Court



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is inclined to pass the following orders :-

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*1)The petitioners shall appear before the learned **Special Court for SC/ST(Prevention of Atrocities Act) Theni**, 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.

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

25.04.2023

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

PNM

Note:Issue Order copy on 26.04.2023



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To

1. The Special Court for SC/ST(Prevention of Atrocities Act),
Theni
2. The Deputy Superintendent Of Police,
O/o the Deputy Superintendent of Police,
Periyakulam, Theni District, Theni.
3. The Inspector of Police,
Jayamangalam Police Station,
Theni District. (Crime No.95/2023).
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN, J.

PNM

ORDER IN
Crl.O.P.(MD) No.7673 of 2023

25.04.2023