



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **26.04.2023**

CORAM:

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

Crl.O.P.(MD)No.7815 of 2023

1.Ilangovan @ Elangovan

2.Thangamani

... Petitioners/Accused Nos.2 & 3

Vs.

1.The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Kodaikanal,
Dindigul District.

2.The State Represented through the Inspector of Police,
All Women Police Station,
Kodaikanal,
Dindigul District.
(Crime No.7 of 2023)

... Respondents/Complainant

3.Mrs.Hemalath

... Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to issue a direction to the learned Special Court for the Exclusive Trial of SC and ST Act Cases, Dindigul, to consider the bail application of the petitioners on the same day on merits in Crime No.7 of 2023 on the file of the respondent No.2 police Station.



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For Petitioners : Mr.A.Abdul Kabur
For Respondents : Mr.B.Nambiselvan for R1 & R2
Government Advocate (Crl. Side)

ORDER

This petition has been filed to direct the learned District and Sessions Judge, Special Court for the Exclusive Trial of SC and ST Act Cases, Dindigul, to accept the surrender of the petitioners and consider the bail application on the date of their surrender in connection with Crime No. 7 of 2023 on the file of the 2nd respondent Police.

2.The petitioners are the accused persons in Crime No.7 of 2023 on the file of the 2nd respondent police for the offences punishable under Section 498(A), 294(b), 109, 506(i) of IPC, Section 3(1)(r), 3(1)(s), 3(1)(w)(ii) and 3(2)(Va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2015 and Section 4 of Dowry Prohibition Act, 1961.

3.Mr.B.Nambiselvan, learned Additional Public Prosecutor, accepts notice for the respondents 1 and 2. He would further submitted it is a matrimonial dispute between the parties.



4.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 District and Sessions Judge, Special Court for the Exclusive Trial of SC and ST Act 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 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.

26.04.2023

Index : Yes/No

Internet : Yes/No

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To

1.The District and Sessions Judge, Special Court for the Exclusive Trial of SC and ST Act Cases, Dindigul.

2.The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Kodaikanal, Dindigul District.



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- 3.The Inspector of Police,
All Women Police Station,
Kodaikanal,
Dindigul District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN. J.

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