



WEB COPY

Crl.O.P.(MD)No.7994 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.04.2023**

CORAM:

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

Crl.O.P.(MD)No.7994 of 2023

1. Sithiraippandi

2. Velkumar

... petitioner/Accused Nos.1 & 2

Vs.

1.The Deputy Superintendent of Police,
o/o. Deputy Superintendent of Police,
Tiruchendur,
Thoothukudi District.

...Respondent No.1

2.The Sub- Inspector of Police,
Tiruchendur Police Station,
Thoothukudi District.
(Crime No.146 of 2023)

... Respondent No.2/Complainant

3.Esakkimuthu

...Respondent No.3/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Sessions court (PCR Special Court) for SC/ST Act, Thoothukudi, to consider the bail application of the petitioner on the same day on merits in the event of the petitioner's surrender in connection with Crime No.146 of 2023 on the file of the 1st respondent.



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For petitioner : Mr.V.Rajiv Rufus
For Respondents : Mr.R.Suresh Kumar
Government Advocate (Crl. Side)

ORDER

This petition has been filed to direct the learned Sessions court (PCR Special Court) for SC/ST Act, Thoothukudi, to consider the bail application of the petitioner on the same day on merits in the event of the petitioner's surrender in connection with Crime No.146 of 2023 on the file of the 1st respondent.

2.The petitioner is the accused persons in Crime No.146 of 2023 on the file of the 2nd respondent police for the offences punishable under Section 294(b), of IPC and Section 3(1)(r), 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3.Mr.R.Suresh Kumar, learned Government Advocate (Crl. Side), accepts notice for the respondents 1 and 2. He would further submit that the petitioner is not having any previous cases.

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



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1)The petitioner shall appear before the learned Sessions Court (PCR Special Court) for SC/ST Act, Thoothukudi, 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 his 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.

27.04.2023

Index : Yes/No
Internet : Yes/No
Indu



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G.ILANGOVAN. J.

Indu

To

- 1.The Sessions Judge,
(PCR Special Court) for SC/ST Act,
Thoothukudi.
2. The Deputy Superintendent of Police,
o/o. Deputy Superintendent of Police,
Tiruchendur,
Thoothukudi District.
3. The Sub- Inspector of Police,
Tiruchendur Police Station,
Thoothukudi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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27.04.2023