



WEB COPY

Crl.O.P.(MD)No.9485 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.06.2023**

CORAM:

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

Crl.O.P.(MD)No.9485 of 2023

1.B.Saran

2.K.Kaneeshkar

... Petitioners/Accused

Vs.

1.The State represented by its,
The Deputy Superintendent of Police,
Paramakudi, Ramanathapuram District.

... 1st Respondent/Investigating Officer

2.The State represented by its,
The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.
(Crime No.133 of 2023)

... 2nd Respondent/Complainant

3.Gowtham

... 3rd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, issue a direction directing the Special Court for trial of Cases under SC/ST Act, Ramanathapuram, to accept the surrender of the Petitioners in connection with Crime No.133/2023 on the file of the 2nd Respondent Police on the same day of filing and to consider the



Anticipatory Bail/ Bail petition filed by the petitioners on the same day of filing in accordance with law.

For Petitioners : Mr.M.S.R.Prem Anandhan
For Respondents : Mr.S.Manikandan for R1 & R2
Government Advocate (Crl. Side)

ORDER

This petition has been filed seeking direction to the Special Court for trial of Cases under SC/ST Act, Ramanathapuram, to accept the surrender of the Petitioners in connection with Crime No.133/2023 on the file of the 2nd Respondent Police on the same day of filing and to consider the Anticipatory Bail/ Bail petition filed by the petitioners on the same day of filing in accordance with law.

2.The petitioners are the accused persons in Crime No.133 of 2023 on the file of the 2nd respondent police for the offences punishable under Section 147, 294(b), 323 and 506(i) of IPC and under Sections 3(1)(r) and 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2015.

3.Mr.S.Manikandan, learned Government Advocate (Crl. side) accepts notice for the respondents 1 and 2. He would further submit that



the injured in this case has been discharged from the hospital and there is no previous antecedents against the petitioners.

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 Judge, Special Court for trial of Cases under SC/ST Act, Ramanathapuram, 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. The trial Court shall taken into consider the previous antecedents of the petitioners while passing orders on merits.

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

09.06.2023

Index : Yes/No
Internet : Yes/No
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- 1.The District Judge, Special Court for trial of Cases under SC/ST Act,
Ramanathapuram.
- 2.The Deputy Superintendent of Police,
Paramakudi, Ramanathapuram District.
- 3.The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

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