



Crl.O.P.(MD)No.9668 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 06.06.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.9668 of 2023

1.Kuravan @ Velmurugan
2.Murugesan
3.Dhilip

...Petitioners

Vs.

1. State rep. by
The Deputy Superintendent of Police,
Andipatti Sub Division,
Theni District.

2.The Inspector of Police,
Rajathani Police Station,
Theni District.
(Crime No.64 of 2023)

3. Uthayakumar

.... Respondents

PRAYER: This Criminal original Petition is filed under Section 482 Cr.P.C., to direct the Special Court for trial of cases under SC(ST) POA Act, Theni to accept their surrender and to consider their bail application in Crime No.64 of 2023 on the file of the respondent police to be filed by the



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petitioners on the same day on merits.

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For Petitioner : Mr. R.A.Kannappan

For Respondents 1 and 2 : Mr.B. Nambiselvan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the Special Court for trial of cases under SC (ST) POA Act, Theni to accept their surrender and to consider their bail application in Crime No.64 of 2023 on the file of the respondent police to be filed by the petitioners on the same day on merits.

2.The petitioners are the accused persons in Crime No.64 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 147, 294(b), 323, 506(1) of 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 Public Prosecutor accepts notice for the respondents 1 and 2. He would further submit that in respect of 1st and 3rd petitioner no previous case is pending and in respect



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of 2nd accused, he is having one previous case in Mines and Minerals Development Act.

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 Special Court for trial of cases under SC(ST) POA 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. 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.

06.06.2023

Index : Yes / No
Internet : Yes / No
trp



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To

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1. The Deputy Superintendent of Police,
Andipatti Sub Division,
Theni District.
2. The Inspector of Police,
Rajathani Police Station,
Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J.,

trp

Order made in
Crl.O.P.(MD)No.9668 of 2023

Dated :06.06.2023