



Crl.O.P.(MD)No.10202 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 12.06.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.10202 of 2023

1.Maruthupandi @ Maruthu
2.Karthikumar @ Karthik
3.Muthupandi
4.Panju

...Petitioners

Vs.

1. The Deputy Superintendent of Police,
Thirumangalam,
Madurai District.

2. The Inspector of Police,
Koodakovil Police Station,
Thirumangalam,
Madurai.
(Crime No.78/2023)

3.Amutha

.... Respondents

PRAYER: This Criminal original Petition is filed under Section 482 Cr.P.C., for issuing a direction to the Sessions Judge Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, cases, Madurai to consider the bail application on their surrender on the



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same day, if any petition filed by the petitioners in Crime No.78 of 2023 on the file of the 2nd respondent.

For Petitioners : Mr.S. Sivaprakash
For Respondents : Mr.B. Nambiselvan
Additional Public Prosecutor

ORDER

This petition has been filed to direct the Sessions Judge Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, cases, Madurai, to accept the surrender of the petitioners and consider the bail application on the date of their surrender in connection with Crime No. 78 of 2023 on the file of the 2nd respondent Police.

2.The petitioners are the accused persons in Crime No.78 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324, 427 IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 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.



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3.Mr.B.Nambiselvan, learned Public Prosecutor accepts notice for the respondents 1 and 2. He would further submit that it is case of case and counter and the counter complaint given by the petitioner has been registered in Crime No.79 of 2023 for the offence under Section 307 IPC and other offences.

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 Sessions Judge Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, cases, Madurai, 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.



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3.The Special Court may taken into account
Section 427 IPC as alleged in the complaint at
the time of passing orders.

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

12.06.2023

Index : Yes / No
Internet : Yes / No
trp

To

1. The Deputy Superintendent of Police,
Thirumangalam,
Madurai District.

2. The Inspector of Police,
Koodakovil Police Station,
Thirumangalam,
Madurai.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J

trp

Order made in
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