



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **13.06.2023**

CORAM:

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

CrI.O.P.(MD)No.10267 of 2023

1.Selvarani

2.Abinath @ Dhamothara Kannan

.. Petitioners/Accused Nos.2 & 3

Vs.

1.The Deputy Superintendent of Police,

Sivakasi Sub-Division,

Virudhunagar District.

... 1st Respondent/Investigating Officer

2.State, represented by

The Inspector of Police,

Sivakasi East Police Station,

Virudhunagar District.

(Crime No.209 of 2023)

... 2nd Respondent/ Complainant

3.Mrs.Eshwari

... 3rd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Special Court for SC and ST (POA) Act Cases, Srivilliputhur, Virudhunagar District to consider the petitioners bail application on the day of surrender in Crime No.209/2023 on the file of the Deputy Superintendent of Police, Sivakasi.

For petitioner : Mr.S.Ramasamy

For Respondents : Mr.B.Nambiselvan for R1 & R2
Additional Public Prosecutor



ORDER

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This petition has been filed seeking direction to the learned Principal District and Sessions Judge, Virudhunagar District at Srivilliputtur (Special case for SC/ST Act Cases) to accept the surrender of the petitioners in connection with Crime No.209 of 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.209 of 2023 on the file of the 2nd respondent police for the offences punishable under Section 294(b), 506(i) IPC r/w. Section 4 of TNPHW Act and Sections 3(1)(r), 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 submit that there is no previous case pending 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 Principal District and Sessions Judge, Virudhunagar District at Srivilliputtur (Special case for SC/ST Act Cases), 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.

13.06.2023

Index : Yes/No
Internet : Yes/No
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To

1.The Principal District and Sessions Judge, Virudhunagar District at Srivilliputtur (Special case for SC/ST Act Cases).

2.The Deputy Superintendent of Police, Sivakasi Sub-Division, Virudhunagar District.

3.The Inspector of Police, Sivakasi East Police Station, Virudhunagar District.

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



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G.ILANGOVAN. J.

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