



Crl.O.P.(MD)No.10729 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **16.06.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **K.MURALI SHANKAR**

Crl.O.P.(MD)No.10729 of 2023

1.Pandi @ Pandiaraj

2.Chinnasamy

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Sattur,
Virudhunagar District.

2.State rep. by
The Inspector of Police,
Vembakottai Police Station,
Virudhunagar District.

3.Kaniselvam

... Respondents/Complainants

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Special Court for offence under (SC/ST) POA Amendment Act Cases, (PCR Court) at Srivilliputtur, Virudhunagar District to accept the surrender of the petitioners and consider their bail applications on the same day on merit relating to the Crime No.153 of 2023, dated 08.06.2023.



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For Petitioners : Mr.V.Maharajan
For Respondents 1 & 2 : Mr.B. Nambiselvan
Additional Public Prosecutor

ORDER

This petition has been filed to direct the learned Special Court for offence under (SC/ST) POA Amendment Act Cases, (PCR Court) at Srivilliputtur, Virudhunagar District to accept the surrender of the petitioners and consider their bail applications on the same day on merit relating to the Crime No.153 of 2023, dated 08.06.2023.

2.The petitioners are the accused persons in Crime No.153 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 294(b), 323, 506(ii) 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 the it is case of case and counter and the counter case has been registered in Crime No.154 of 2023 and no one has sustained injury.



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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 Special Court for offence under (SC/ST) POA Amendment Act Cases, (PCR Court) at Srivilliputtur, Virudhunagar District, 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 consideration the previous antecedents of the petitioners while passing orders on merits.

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

16.06.2023

Index : Yes/No
Internet : Yes/No
trp



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To

1.The Special Court for offence under (SC/ST) POA Amendment Act Cases, (PCR Court) at Srivilliputtur, Virudhunagar District

2.The Deputy Superintendent of Police,
Sattur,
Virudhunagar District.

3. The Inspector of Police,
Vembakottai Police Station,
Virudhunagar District.

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



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K.MURALI SHANKAR, J.,

trp

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