



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.10724 of 2023

Raja @ Lakshmibalan

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Aranthangi Division,
Aranthangi,
Pudukkottai District.

2.The Special Sub Inspector of Police,
Aranthangi Police Station,
Aranthangi,
Pudukkottai District.
(Crime No. 728 of 2022)

3.Ravikumar

... Respondents/Complainants

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Pudukkottai to accept the surrender of the petitioner / 5th accused and consider their bail application and grant bail on the date of surrender itself in Crime No. 728 of 2022, dated 22.12.2022 on the file of the 2nd respondent police.



For Petitioners : Mr.K.C.Muniyarasu

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

ORDER

This Criminal Original Petition has been filed to direct the Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Pudukkottai to accept the surrender of the petitioner / 5th accused and consider their bail application and grant bail on the date of surrender itself in Crime No. 728 of 2022, dated 22.12.2022 on the file of the 2nd respondent police.

2.The petitioner is the accused in Crime No.728 of 2022 on the file of the 2nd respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324 and 506(2) IPC and 3(1)(r), 3(1)(s), 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Amendment Act, 2015.

3. Mr. B.Nambiselvan, learned Additional Public Prosecutor accepts notice for the respondents 1 and 2. He would further submit that the injured has been discharged from the hospital.



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4.Considering the facts and circumstances of the case, this Court is inclined to pass the following orders :-

- 1)The petitioner shall appear before the Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Pudukkottai, 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 de facto complainant, the concerned Judge shall consider the bail application filed by the petitioner and pass orders on merits on the same day of his surrender, after hearing the de facto complainant by complying with Section 15A(3) of the Act. The trial Court shall taken into consideration the previous antecedents of the petitioner 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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