



*Crl.O.P.(MD)No.10763 of 2023*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **19.06.2023**

CORAM:

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

**Crl.O.P.(MD)No.10763 of 2023**

1.J.Harish Kumar  
2.M.Dhanabal

... Petitioners/Accused No.2 & 3

Vs.

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

2.The Sub-Inspector of Police,  
Sivakasi Town Police Station,  
Virudhunagar District.  
(Crime No.182 of 2023)

... Respondents 1 & 2/  
Complainants

3.Muthukumar ... 3<sup>rd</sup> Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Principal District and Sessions Court, Virudhunagar District at Srivillipuhur (Special Court for SC/ST Act Cases) to accept the surrender of the petitioners and consider their bail application on the same day on merits in relating to Crime No.182 of 2023 on the file of the 2<sup>nd</sup> respondent police.



For Petitioners : Mr.M.Jothi Basu

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

### **ORDER**

This petition has been filed seeking direction to the Principal District and Sessions Court, Virudhunagar District at Srivillipuhur (Special Court for SC/ST Act Cases), to accept the surrender of the Petitioners in connection with Crime No.182 of 2023 on the file of the 2<sup>nd</sup> 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.182 of 2023 on the file of the 2<sup>nd</sup> respondent police for the offences punishable under Section 294(b), 323 and 506(i) of IPC and under Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) 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 in this case has been discharged from the hospital and there is



no previous antecedents against the petitioners.

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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 District Judge, Principal District and Sessions Court, Virudhunagar District at Srivillipuhur (Special Court 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. 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.

**19.06.2023**

Index : Yes/No  
Internet : Yes/No  
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Srivillipuhur (Special Court for SC/ST Act Cases).
- 2.The Deputy Superintendent of Police,  
Sivakasi,  
Virudhunagar District.
- 3.The Sub-Inspector of Police,  
Sivakasi Town Police Station,  
Virudhunagar District.
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**G.ILANGO VAN. J.**

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