



Crl.O.P.(MD)No.10966 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **20.06.2023**

CORAM:

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

Crl.O.P.(MD) No.10966 of 2023

1. Moorthikumar

2. Prabhakaran

... Petitioners/Accused 1 and 2

Vs.

1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Tiruchuli Sub Division,
Virudhunagar District.
(Crime No.85 of 2023)

2. The Inspector of Police,
A.Mukkulam Police Station,
Virudhunagar District.
(Crime No.85 of 2023)

...1st and 2nd Respondents/Complainants

3. Archunan

... 3rd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the District and Sessions Court (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Virudhunagar at Srivilliputhur, to accept the surrender of the petitioners/Accused Bo,1 and 2 consider the petitioner's bail application and grant bail on the date of surrender itself in Crime No.85 of 2023 dated 11.06.2023 on the file of the respondent Police.



For Petitioners : Mr.Karuppasamy Pandiyan G,
For Respondents : Mr.B.Nambiselvan for R1 & R2
Additional Public Prosecutor

ORDER

This petition has been filed to direct the District and Sessions Court (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Virudhunagar at Srivilliputhur, to accept the surrender of the petitioners/Accused Bo,1 and 2 consider the petitioner's bail application and grant bail on the date of surrender itself in Crime No.85 of 2023 dated 11.06.2023 on the file of the respondent Police.

2.The petitioners are the accused persons in Crime No.85 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 294(b), 323 of IPC and 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 submit that injured has been discharged from the hospital and the petitioner is having no



previous cases.

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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 District and Sessions Court (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Virudhunagar at Srivilliputhur, 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.

20.06.2023

Index : Yes/No
Internet : Yes/No
Indu



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To

- 1.The the District and Sessions Court under SC/ST (PoA) Act,
Virudhunagar at Srivilliputhur.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Tiruchuli Sub Division,
Virudhunagar District.
- 3.The Inspector of Police,
A.Mukkulam Police Station,
Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

Indu

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