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Crl.O.P.(MD)No.11171 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.06.2023**

CORAM:

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

Crl.O.P.(MD)No.11171 of 2023

Thangapandian

... Petitioner/Sole Accused

Vs.

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

2.The Sub-Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.
(Cr.No.51 of 2023)

... 1st and 2nd Respondents/Complainants

3.Panchavarnam

... 3rd 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 Srivilliputhur(Special Court for SC/ST Act Cases) to accept the surrender of the petitioner and consider his bail application on the same day on merits in relating to Crime No.51 of 2023 on the file of the 2nd respondent police.

For petitioner : Mr.M.Jothi Basu

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 Srivilliputhur (Special Court for SC/ST Act cases), to accept the surrender of the petitioner in connection with Crime No.51/2023 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 petitioner on the same day of filing in accordance with law.

2.The petitioner is the accused person in Crime No.51 of 2023 on the file of the 2nd respondent police for the offences punishable under Section 186, 294(b), 189, 506(ii) of IPC, under Sections 3(1)(r), 3(1)(s), 3(1)(m) & 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2015 and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2005.

3.Mr.B.Nambiselvan, learned Additional Public Prosecutor accepts notice for the respondents 1 and 2. He would submit that the petitioner is having three previous cases pending against him, but not similar in nature.



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 learned Principal District and Sessions Judge, Virudhunagar District at Srivilliputhur (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 petitioner and pass orders on merits on the same day of his 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.

22.06.2023

Index : Yes/No
Internet : Yes/No
TM

To

1.The Principal District and Sessions Judge, Virudhunagar District at Srivilliputhur (Special Court for SC/ST Act cases).

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



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3.The Sub-Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.

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



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G.ILANGOVAN. J.

TM

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