



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **23.06.2023**

CORAM:

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

Crl.O.P.(MD)No.11282 of 2023

Arunkumar

... Petitioner/Accused No.2

Vs.

1. State, represented through
The Deputy Superintendent of Police,
Paramakudi,
Ramanathapuram District.

2.The Inspector of Police,
Paramakudi Taluk Police Station,
Pramakudi,
Ramanathapuram District.
(Crime No.141 of 2023)

...Respondents 1 & 2/Complainants

3. Balamurugan

... 3rd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Special Sessions Judge, Ramanathapuram (Special Court for Trial of Scheduled Caste and Scheduled Tribe Act Cases) to consider the bail application of the petitioner on the same day of surrender in Crime No.141 of 2023 on the file of the second respondent Police Station.



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For Petitioners : Mr.Subramanian A
For R1 and R2 : Mr.B.Nambiselvan for R1 & R2
Additional Public Prosecutor

ORDER

This petition has been filed to direct the learned Special Sessions Judge, Ramanathapuram (Special Court for Trial of Scheduled Caste and Scheduled Tribe Act Cases) to consider the bail application of the petitioner on the same day of surrender in Crime No.141 of 2023 on the file of the second respondent Police Station.

2.The petitioner is the accused persons in Crime No.141 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 109, 294(b), 323 of IPC and Sections 3(1)(r), 3(1)(s) 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 the injured has been discharged from the hospital and the petitioner /A2 is having previous cases, which are 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 Special Sessions Judge, Ramanathapuram (Special Court for Trial of Scheduled Caste and Scheduled Tribe 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 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.

23.06.2023

NCC:Yes/No

Index : Yes/No

Internet : Yes/No

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G.ILANGOVAN. J.

Indu

To

- 1.The learned Special Sessions Judge,
Special Court for Trial of Scheduled Caste
and Scheduled Tribe Act Cases
Ramanathapuram.
- 2.The Deputy Superintendent of Police,
Paramakudi,
Ramanathapuram District.
- 3.The Inspector of Police,
Paramakudi Taluk Police Station,
Paramakudi,
Ramanathapuram District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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23.06.2023