



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.11330 of 2023

Gunasekaran

... Petitioner/Sole Accused

Vs.

1. The Deputy Superintendent of Police,
Paramakudi Sub Division,
Paramakudi,
Ramanathapuram District.

...1st Respondent/Nil

2. The State, represented by
The Inspector of Police,
Parthibanoor Police Station,
Ramanathapuram District.
(Crime No.116/2023)

...2nd Respondent/Complainant

3. Rajaboopathi

...3rd Respondent / Defacto
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Special Court for Exclusively Trial of SC/ST Act Cases, Ramanathapuram, to consider the petitioner's bail application on the date of his surrender in respect of the case in Crime No.116/2023 on the file of the 2nd respondent Police.

For Petitioners : Mr.Ramesh A

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



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ORDER

This petition has been filed to direct the learned Special Court for Exclusively Trial of SC/ST Act Cases, Ramanathapuram, to consider the petitioner's bail application on the date of his surrender in respect of the case in Crime No.116/2023 on the file of the 2nd respondent Police.

2.The petitioner is the accused persons in Crime No.116 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 294(b), 323, 355, 506(ii) of IPC and Sections 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 the injured has been discharged from the hospital.

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 Exclusively Trial of SC/ST Act Cases, Ramanathapuram, within a period of 15



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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

Indu



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G.ILANGOVAN. J.

Indu

To

- 1.The learned Special Judge for SC/ST
(POA) Amendment Act 2015,
Ramanathapuram.
- 2.The Deputy Superintendent of Police,
Paramakudi Sub Division,
Paramakudi,
Ramanathapuram District.
3. The Inspector of Police,
Parthibanoor Police Station,
Ramanathapuram District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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