



Crl.O.P.(MD)No.11584 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **28.06.2023**

CORAM:

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

Crl.O.P.(MD) No.11584 of 2023

Manikandan

... Petitioner/2nd Accused

Vs.

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

2. State, represented by
The Inspector of Police,
Vembakottai Police Station,
Virudhunagar District.
Crime No.158 of 2023.

...Respondents 1 & 2/Complainants

3. Suresh Kumar

... 3rd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Principal and District Sessions Judge, Special Cout for Scheduled Castes and Scheduled Tribes (POA) Act, Srivilliputhur at Virudhunagar District to accept the surrender of the petitioner and consider his Bail application and grand bail on the same day of surrender itself in connection with the case in crime No.158 of 2023, registered on 14.06.2023 on the file of the second respondent Police.



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

ORDER

This petition has been filed to direct the learned Principal and District Sessions Judge, Special Court for Scheduled Castes and Scheduled Tribes (POA) Act, Srivilliputhur at Virudhunagar District to accept the surrender of the petitioner and consider his Bail application and grant bail on the same day of surrender itself in connection with the case in crime No.158 of 2023, registered on 14.06.2023 on the file of the second respondent Police.

2.The petitioner is the accused persons in Crime No.158 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 294(b), 323, 342, 506(ii) of IPC and Sections 3(1)(r),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 History Sheet is maintaining against the petitioner before the second



respondent Police Station in H.S.No.12 of 2019. The petitioner is having eight previous cases including this case.

4. Perusal of the case list shows that some of the cases are disposed of and some others are the petty offences.

5. Considering the facts and circumstances of the case, this Court is inclined to pass the following orders :-

1) The petitioner shall appear before learned Principal and District Sessions Judge, Special Court for Scheduled Castes and Scheduled Tribes (POA) Act, Srivilliputhur at Virudhunagar District, 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.



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5.With the above observation, this Criminal Original Petition is disposed of.

28.06.2023

NCC:Yes/No

Index : Yes/No

Internet : Yes/No

Indu

To

- 1.The learned Principal and District Sessions Judge,
Special Cout for Scheduled Castes and
Scheduled Tribes (POA) Act,
Srivilliputhur at Virudhunagar District
- 2.The Deputy Superintendent of Police,
Sattur,
Virudhunagar District.
- 3.The Inspector of Police,
Vembakottai 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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