



Crl.O.P.(MD)No.11663 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.11663 of 2023

Eeswaran

... Petitioner/3rd Accused

Vs.

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

2. State, represented by
The Inspector of Police,
Vembakkottai Police Station,
Virudhunagar District.
(Crime No.153/2023)

...Respondents 1 & 2/Complainants

3. Kaniselvam

... 3rd Respondent/Defacto
Complainant

4. Karuppasamy @ Ashok

...4th Respondent/Victim

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Special Court for offence under SC & ST (POA) Amendment Act cases (PCR Court), at Srivilliputhur, Virudhunagar District, to accept the surrender of the petitioner and consider his bail application on the same day on merit relating to Crime No.153 of 2023, dated 08.06.2023.



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

ORDER

This petition has been filed to direct the learned Special Court for offence under SC & ST (POA) Amendment Act cases (PCR Court), at Srivilliputhur, Virudhunagar District, to accept the surrender of the petitioner and consider his bail application on the same day on merit relating to Crime No.153 of 2023, dated 08.06.2023.

2.The petitioner is the accused persons in Crime No.153 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 294(b), 323, 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 co-accused have filed Crl.O.P(MD) No.10729 of 2023 for the very same relief and the same was disposed by this Court on 16.06.2023.



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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 Court for offence under SC & ST (POA) Amendment Act cases, (PCR Court), 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.

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



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- 1.The learned Special Court for offence under SC & ST (POA) Amendment Act cases (PCR Court),
Srivilliputhur at Virudhunagar District.
- 2.The Deputy Superintendent of Police,
Sattur,
Virudhunagar District.
- 3.The Inspector of Police,
Vembakkottai 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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28.06.2023