



Crl.O.P.(MD)No.11810 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **30.06.2023**

CORAM:

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

Crl.O.P.(MD)No.11810 of 2023

1.Sakthikumar
2.Kanakaraj
3.Petchiammal
4.Balaji

... Petitioners/Accused 1 to 4

Vs.

1.The Deputy Superintendent of Police,
Bodinayakkanur,
Theni District.

2.The Inspector of Police,
Bodinayakkanur Town Police Station,
Bodinayakkanur
Theni District.

(Crime No.248 of 2023) ... Respondents 1 & 2 / Complainants

3.Ramakrishnan ... 3rd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Special Court for Exclusively trial for SC/ST(PCR) Theni, to consider and dispose of the bail application of the petitioner's in Cr.No.248/2023 on the file of the second respondent on the same day of their surrender.



For petitioner : Mr.A.R.Kannappan

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

ORDER

This petition has been filed seeking direction to the learned Sessions Judge, Special Court for exclusively trial for SC/ST (PCR) cases, Theni District, to accept the surrender of the petitioners in connection with Crime No.248 of 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 petitioners on the same day of filing in accordance with law.

2.The petitioners are the accused persons in Crime No.248 of 2023 on the file of the 2nd respondent police for the offences punishable under Section 294(b), 506(ii) of IPC and under Sections 3(1)(r), 3(1)(s), 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 further submit that the injured in this case has been discharged from the hospital and there is



no previous antecedents against the petitioners.

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

- 1)The petitioners shall appear before the learned Sessions Judge, Special Court for exclusively trial for SC/ST (PCR) cases, Theni 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 petitioners 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.

30.06.2023

Index : Yes/No

Internet : Yes/No

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To

1.The Sessions Judge, Special Court for exclusively trial for SC/ST (PCR) cases, Theni District.



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- 2.The Deputy Superintendent of Police,
Bodinayakkanur,
Theni District.
- 3.The Inspector of Police,
Bodinayakkanur Town Police Station,
Bodinayakkanur,
Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

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