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CrI.O.P.(MD)No.12829 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.07.2023**

CORAM:

THE HONOURABLE DR.JUSTICE **D.NAGARJUN**

CrI.O.P.(MD) No.12829 of 2023

Muthupandi

... Petitioner / Accused No.3

Vs.

1.The Deputy Superintendent of Police,
Periyakulam Sub Division, Theni District.

..1st Respondent / Investigation Officer

2.State represented by
the Inspector of Police,
Jayamangalam Police Station,
Theni District.

(Crime No.162 of 2023) ..2nd Respondent / complainant

3.Rajeshwaran

...3rd Respondent / defacto complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Special District Court for trial of cases under SC/ST (POA) Act, Theni, to consider the bail application of the petitioner / Accused No.3 in Crime No.162 of 2023 on the file of the respondent Police on the same day of surrender on merits.

For Petitioner	: Mr.M.A.M.Raja
For R1 and R2	: Mr.E.Antony Sahaya Prababar Additional Public Prosecutor



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ORDER

This Criminal Original Petition is filed by the petitioner / Accused No.3 in Crime No.162 of 2023 seeking for a direction to the Special District Court for trial of cases under SC/ST (POA) Act, Theni, to consider the bail application of the petitioner along with the surrender petition and to dispose of the bail application on the very same day.

2. The petitioner is stated to have committed the offences punishable under Sections 294 (b), 323, 324 and 506 (2) of I.P.C. and Sections 3 (1) (r), 3 (1) (s) and 3 (2) (va) of the Scheduled Caste and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015

3. Learned Additional Public Prosecutor submits that the petitioner has already involved in Crime No.57 / 2023 for I.P.C. offences, Crime No.100 / 2022 for I.P.C. offences as well as SC/ST cases, Crime No.248 / 2021 for I.P.C. offences and Crime No.220 / 2021 for I.P.C offences as well as SC/ST cases and considering the above, it is made clear that out of the four cases pending against the petitioner, three cases are registered under the SC/ST (POA) Act.



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4. Considering the same, the request of the petitioner to consider the bail application on the very same date cannot be considered and therefore, declined. However, in case, if the petitioner surrenders before the Court and moves the application for grant of bail, the trial Judge is directed to consider the same sympathetically by following the procedures by giving notice to all the parties concerned.

5. In view of the above, the Criminal Original Petition stands disposed of.

Index : Yes/No
Internet : Yes/No
tsg

25.07.2023

To

- 1.The Special District Court for trial of cases under SC/ST (POA) Act, Theni.
- 2.The Deputy Superintendent of Police, Periyakulam Sub Division, Theni District.
- 3.The Inspector of Police, Jayamangalam Police Station, Theni District.
- 4.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.



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DR.D.NAGARJUN. J.

tsg

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