



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.10.2023**

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CORAM:

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

Crl.O.P.(MD)No.15481 of 2023

1.Janathkani
2.Asadullah @ Hazathullah
3.Sharmila @ Naseema ...Petitioners/Accused Nos 2 to 4

Vs.

1.The Deputy Superintendent of Police,
Sivagangai Sub Division,
Sivagangai District.

2.The Inspector of Police,
All Women Police Station,
Sivagangai,
Sivagangai District.
(Crime No.7 of 2023)

3.Rathi ... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Special Court for Trial of Cases under SC/ST (POA) Act, Sivagangai District to consider and dispose of the bail application to be filed by the petitioners on the same day of its filing on their surrender in connection with the case in Crime No.7 of 2023 on the file of the Inspector of Police, All Women Police Station, Sivagangai, Sivagangai District.



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For petitioner : Mr.R.Anand
For R1 and R2 : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.Side)

ORDER

This petition has been filed seeking direction to the Special Court for Trial of Cases under SC/ST (POA) Act, Sivagangai District to consider and dispose of the bail application to be filed by the petitioners on the same day of its filing, on their surrender in connection with the case in Crime No.7 of 2023 on the file of the Inspector of Police, All Women Police Station, Sivagangai, Sivagangai District.

2.The petitioners are the accused persons in Crime No.7 of 2023 on the file of the second respondent police registered for the offences under Sections 417, 376, 294(b), 506(ii) 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.M.Vaikkam Karunanithi, learned Government Advocate (Crl.side) accepts notice for the respondents 1 and 2. He would submit that the first accused in this case has been arrested and remanded to



judicial custody. He would further submit that there is no previous case pending against the petitioners.

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 Special Judge for Trial of Cases under SC/ST (POA) Act, Sivagangai 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.

05.10.2023

Index : Yes/No
Internet : Yes/No
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To

- 1.The Special Court for Trial of Cases
under SC/ST (POA) Act, Sivagangai District
- 2.The Deputy Superintendent of Police,
Sivagangai Sub Division,
Sivagangai District.
- 2.The Inspector of Police,
All Women Police Station,
Sivagangai,
Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGOVAN. J.

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