



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.10.2023**

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CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

CrI.O.P.(MD)No.16997 of 2023

Dhinesh

.. Petitioner/Accused No.2

Vs.

1.The Deputy Superintendent of Police,
Sampathuviduthi Police Station,
Pudukkottai District.

2.The State Represented by
The Inspector of Police,
Sampathuviduthi Police Station,
Pudukkottai District.
(Crime No.92 of 2023)

3.P.Thangaraj

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the District and Sessions P.C.R.Court, Pudukkottai under SC/ST Prevention of Atrocities Act to consider the bail application on the surrender of the petitioner in connection with Crime No.92 of 2023 pending investigation on the file of the second respondent on merits on the same day.

For petitioner : Mr.A.Banumathy

For R1 and R2 : Mr.M.Vaikkam Karunanithi
Government Advocate (CrI.Side)



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Crl.O.P.(MD)No.16997 of 2023



ORDER

This petition has been filed seeking direction to the District and Sessions P.C.R.Court, Pudukkottai under SC/ST Prevention of Atrocities Act to consider the bail application on the surrender of the petitioner in connection with Crime No.92 of 2023 pending investigation on the file of the second respondent on merits on the same day.

2.The petitioner is the accused person in Crime No.92 of 2023 on the file of the second respondent police registered for the offences under Sections 294(b), 324, 323 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 also submit that there is no previous case pending against the petitioner.

4.The learned counsel for the petitioner submitted that earlier application filed by the petitioner was dismissed on the ground that similar cases were pending against the petitioner. However, it is brought



to the notice of this Court that there are no other cases pending against the petitioner herein.

5.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 District and Sessions P.C.R. Judge, Pudukkottai, under SC/ST Prevention of Atrocities Act , 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 his surrender, after hearing the defacto complainant by complying with Section 15A(3) of the Act.

6.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
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- 1.The District and Sessions P.C.R.Court, Pudukkottai under SC/ST Prevention of Atrocities Act
- 2.The Deputy Superintendent of Police,
Sampathuviduthi Police Station,
Pudukkottai District.
- 3.The Inspector of Police,
Sampathuviduthi Police Station,
Pudukkottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGOVAN. J.

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