



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.10.2023**

WEB COPY

CORAM:

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

**Crl.O.P.(MD)No.17249 of 2023**

Mathivanan

.. Petitioner/Accused No.3

Vs.

1.State Represented through the  
Deputy Superintendent of Police,  
Aruppukottai Sub Division,  
Aruppukottai,  
Virudhunagar District.

2.The Inspector of Police,  
Aruppukottai Town Police Station,  
Virudhuangar District,  
(Crime No.221 of 2022)

3.S.Balasubramanian

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned District and Session Judge, Special Court for Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act Cases (PCR Court), Virudhunagar District at Srivilliputhur to consider the bail application of the petitioners on the same day of surrender in Crime No.221 of 2022 on the file of the second respondent police station.

For petitioner : Mr.R.Karunanidhi



For R1 and R2 : Mr.M.Vaikkam Karunanithi

Government Advocate (Crl.Side)

### **ORDER**

This petition has been filed seeking direction to the learned District and Session Judge, Special Court for Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act Cases (PCR Court), Virudhunagar District at Srivilliputhur to consider the bail application of the petitioners on the same day of surrender in Crime No.221 of 2022 on the file of the second respondent police station.

2.The petitioner is the accused person in Crime No.221 of 2022 on the file of the second respondent police registered for the offences under Sections 306 IPC and Sections 3(1)(r) 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 there is no previous case pending against the petitioner.



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 District and Session Judge, Special Court for Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act Cases (PCR Court), Virudhunagar District at Srivilliputhur, 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.

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 District and Session Judge,  
Special Court for Scheduled Caste  
and Scheduled Tribe (Prevention of Atrocities)  
Act Cases (PCR Court),  
Virudhunagar District at Srivilliputhur
- 2.The Deputy Superintendent of Police,  
Aruppukottai Sub Division,  
Aruppukottai,  
Virudhunagar District.
- 3.The Inspector of Police,  
Aruppukottai Town Police Station,  
Virudhuangar District,
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.



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**G.ILANGOVAN. J.**

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