



WEB COPY

Crl.O.P.(MD)No.17473 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.10.2023**

CORAM:

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

Crl.O.P.(MD)No.17473 of 2023

1. Maikkanan @ Selvaraj
2. Perumal
3. Ramasamy
4. Dhanasekar
5. Subbramani ... Petitioners/Accused Nos.1 to 5

Vs.

1. The Deputy Superintendent of Police,
Vedasenthur,
Dindigul District.
2. The Inspector of Police,
Eriode Police Station,
Dindigul District.
Crime No.203 of 2023. ...2nd Respondent/Complainant
3. Subban ... 3rd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned District and Sessions Judge(Special Case Court of PRC),Dindigul District to accept the surrender of the 1st



CrI.O.P.(MD)No.17473 of 2023

Petitioner/Accused No.1 to 5th Petitioner/5th accused and consider their bail application on the same day in connection with Crime No.203 of 2023 on the file of the second respondent Police.

For Petitioners : Mr.M.Vivek Bharathi,
For R1 and R2 : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl. Side)
For R3 : Mr.D.Shanmugaraja Sethupathi

ORDER

This petition has been filed to direct the learned District and Sessions Judge(Special Case Court of PRC),Dindigul District to accept the surrender of the 1st Petitioner/Accused No.1 to 5th Petitioner/5th accused and consider their bail application on the same day in connection with Crime No.203 of 2023 on the file of the second respondent Police.

2.The petitioners are the accused persons in Crime No.203 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 147, 294(b), 506(i) of IPC and Sections 3(1)(r), 3(1)(s) and 3(2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.



WEB COPY

3.Mr.M.Vaikkam Karunanithi, learned Government Advocate (Crl.Side), accepts notice for the respondents 1 and 2. He would further submit that the case in Crime No.376 of 2018 is pending against the third petitioner for the offences punishable under Sections 294(b), 325 IPC and 3(1)(r), 3(1)(s) of SC/ST (PoA) Act, which is stated to be pending before the PCR Court, Dindigul. So far as, the other petitioners are concerned, no previous case is pending against them.

4. The learned counsel for the defacto complainant would submit that he got severe objection for considering the bail application of the petitioners.

5. If it is so, the defacto complainant can very well appear before the concerned Court and make objections at that time of hearing the bail applications of the petitioners.

6. Considering the bad antecedent of the third petitioner, he is not entitled for any relief. Hence, this petition is dismissed in respect of the third petitioner.



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

1)The petitioners 1, 2, 4 and 5 shall appear before the learned District and Sessions Judge, Special Court for PCR, Dindigul 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.

8.With the above observation, this Criminal Original Petition is disposed of in respect of the petitioners No.1, 2, 4 and 5

03.10.2023

Index : Yes/No
Internet : Yes/No
Indu



Crl.O.P.(MD)No.17473 of 2023

To

WEB COPY

1. The District and Sessions Judge,
Special Court for PCR, Dindigul District.
2. The Deputy Superintendent of Police,
Vedasenthur,
Dindigul District.
3. The Inspector of Police,
Eriode Police Station,
Dindigul District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CrI.O.P.(MD)No.17473 of 2023

G.ILANGO VAN. J.

Indu

CrI.O.P.(MD)No.17473 of 2023

03.10.2023