



WEB COPY

Crl.O.P.(MD)No.17487 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.17487 of 2023

Dinesh

... Petitioner/Accused
Rank Not Known

Vs.

1. The Deputy Superintendent of Police,
Office of Deputy Superintendent of Police,
Tirumangalam,
Madurai District.

2. The Inspector of Police,
Austinpatti Police Station,
Austin Patti, Madurai.

...Respondents 1 & 2/Complainants

3. Manjula

... 3rd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 3rd Additional District and Sessions Court, Special Court for Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act 1989, Madurai to accept the surrender of the petitioner/rank not known and consider the petitioners bail application and grant bail on the date of surrender itself in crime No.198 of 2023, dated 31.08.2023 on the file of the second respondent Police.

For Petitioners : Mr.Vignesh.R

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



ORDER

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This petition has been filed to direct the 3rd Additional District and Sessions Court, Special Court for Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act 1989, Madurai to accept the surrender of the petitioner/rank not known and consider the petitioners bail application and grant bail on the date of surrender itself in crime No.198 of 2023, dated 31.08.2023 on the file of the second respondent Police.

2.The petitioner is the accused persons in Crime No.198 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 294(b), 307 of IPC and Section 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 it is a case and counter case and the injured has been discharged from the hospital in both the cases.

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



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1)The petitioner shall appear before the 3rd Additional District and Sessions Court, Special Court for Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act 1989, Madurai, 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 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.

03.10.2023

NCC:Yes/No

Index : Yes/No

Internet : Yes/No

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G.ILANGOVAN. J.

Indu

To

- 1.The 3rd Additional District and Sessions Court,
Special Court for Scheduled Caste and Scheduled Tribes
(Prevention of Atrocities) Act 1989, Madurai.
- 2.The Deputy Superintendent of Police,
Office of Deputy Superintendent of Police,
Tirumangalam,
Madurai District.
3. The Inspector of Police,
Austinpatti Police Station,
Austin Patti, Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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