



Crl.O.P.(MD)No.17519 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **03.10.2023**

CORAM:

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

Crl.O.P.(MD)No.17519 of 2023

G.Kalyanasundaram

... Petitioner/Sole Accused

Vs.

1. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Periyakulam,
Theni.

2. The Inspector of Police,
Devadanapatti Police Station,
Theni District.

...Respondents 1 & 2/Complainants

3. P.Periyamuthu

... 3rd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Special Court for trial of SC/ST (POA) Amendment Act 2015 cases, Theni, to accept the surrender of the petitioner and consider his bail application for release of petitioner in Crime No.221/2023 on the file of the Inspector of Police, Devadanapatti Police Station, Theni.

For Petitioners : Mr.Janakiramulu.V

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 learned Special Court for trial of SC/ST (POA) Amendment Act 2015 cases, Theni, to accept the surrender of the petitioner and consider his bail application for release of petitioner in Crime No.221/2023 on the file of the Inspector of Police, Devadanapatti Police Station, Theni.

2.The petitioner is the accused persons in Crime No.221 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 294(b), 506(i) of IPC and Section 3(1)(r), 3(1)(s) and 3(2)(Va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

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 and there is no injured in this case.

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 Special Court for trial of SC/ST (POA) Amendment Act 2015 cases, Theni,, 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 Special Court for trial of SC/ST (POA)
Amendment Act 2015 cases, Theni.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Periyakulam,
Theni.
3. The Inspector of Police,
Devadanapatti Police Station,
Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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