



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **05.10.2023**

CORAM:

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

Crl.O.P.(MD)No.17707 of 2023

- 1.Periyasamy
- 2.Aadhilakshmi
- 3.Ganesan ... Petitioners/Accused Nos.11, 15 & 16

Vs.

- 1.State represented by
The Deputy Superintendent of Police,
Aruppukottai,
Virudhunagar District.
- 2.The Inspector of Police,
Aruppukottai Taluk Police Station,
Aruppukottai,
Virudhunagar District.
(Crime No.137 of 2023) ... Respondents1 & 2/Complainant
- 3.Karuppasamy ... 3rd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct learned Special Judge for SC/ST (POA) Act Cases, Srivilliputhur to consider the bail applications to be filed by the petitioners in Crime NO.137 of 2023, pending investigation on the file of the first respondent on the same day of their surrender.



For Petitioners : Mr.D.Venkatachalam

For Respondents : Mr.M.Vaikkam Karunanithi for R1 & R2
Government Advocate (Crl. Side)

ORDER

This petition has been filed to direct the learned Sessions Judge Special Court for SC/ST (POA) Act Cases, Srivilliputhur to accept the surrender of the petitioners and consider the bail application on the date of their surrender in connection with Crime No. 137 of 2023 on the file of the 2nd respondent Police.

2.The petitioners are the accused persons in Crime No.137 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 147, 148, 294(b), 324, 323, 427 and 3 of IPC, Section 3 of Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992 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 further submitted the injured in this case has been discharged from the hospital. There is no previous case against the petitioners. There is a case in



counter case.

WEB COPY

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

- 1)The petitioners shall appear before the learned Sessions Judge, Special Court for SC/ST (POA) Act Cases, 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 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.

5.With the above observation, this Criminal Original Petition is disposed of.

05.10.2023

Index : Yes/No

Internet : Yes/No

TM

To

1.The Sessions Judge, Special Court for SC/ST (POA) Act Cases, Srivilliputhur.



CrI.O.P.(MD)No.17707 of 2023

- 2.The Deputy Superintendent of Police,
Aruppukottai,
Virudhunagar District.
- 3.The Inspector of Police,
Aruppukottai Taluk Police Station,
Aruppukottai,
Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CrI.O.P.(MD)No.17707 of 2023

G.ILANGOVAN. J.

TM

CrI.O.P.(MD)No.17707 of 2023

05.10.2023