



Crl.O.P.(MD)No.17978 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **09.10.2023**

CORAM:

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

Crl.O.P.(MD)No.17978 of 2023

1. P.Krishnapandi

2. Niraikulam Sithaiah

... Petitioners/Accused Rank
Not Known

Vs.

1. The Deputy Superintendent of Police,
Virudhunagar Sub Division,
Virudhunagar District.

2. The Inspector of Police,
Soolakkarai Police Station,
Virudhunagar District.
Crime No.147/2023.

...1st and 2nd Respondents/Complainants

3. Velmurugan

... 3rd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Special court for the Exclusive trial for SC/ST (POA) Act cases, Srivilliputhur to accept the surrender of the petitioner and consider their bail application on the same day on merits in relating to Crime No. 147 of 2023, dated 09.09.2023 on the file of the first respondent Police.



Crl.O.P.(MD)No.17978 of 2023

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

ORDER

This petition has been filed to direct the learned Special court for the Exclusive trial for SC/ST (POA) Act cases, Srivilliputhur to accept the surrender of the petitioner and consider their bail application on the same day on merits in relating to Crime No. 147 of 2023, dated 09.09.2023 on the file of the first respondent Police.

2.The petitioners are the accused persons in Crime No.147 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 147, 341, 294(b), 323, 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) Act, 1989.

3.Mr.M.Vaikkam Karunanithi, learned Government Advocate (Crl.Side), accepts notice for the respondents 1 and 2. He would further submit that there is no previous case pending against the petitioner. It is a case and counter case and injured in both the cases are discharged from the hospital.



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 Special court for the Exclusive trial 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.

09.10.2023

Index : Yes/No
Internet : Yes/No
Indu



Crl.O.P.(MD)No.17978 of 2023

To

1. The Special court for the Exclusive trial for SC/ST (POA) Act cases,
Srivilliputhur.
2. The Deputy Superintendent of Police,
Virudhunagar Sub Division,
Virudhunagar District.
3. The Inspector of Police,
Soolakkarai Police Station,
Virudhunagar District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CrI.O.P.(MD)No.17978 of 2023

G.ILANGO VAN. J.

Indu

CrI.O.P.(MD)No.17978 of 2023

09.10.2023