



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **13.10.2023**

CORAM:

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

Crl.O.P.(MD)No.18358 of 2023

1. Subramaniyan @ Ramasubramani
2. Padmanathan
3. Malarvizhi @ Malarvalli ... Petitioners/Accused Nos.1 to 3

Vs.

1. The Deputy Superintendent of Police,
Aranthangi Division,
Pudukottai District.
2. The Inspector of Police,
Avudaiyarkoil Police Station,
Pudukottai District.
(Crime No.159 of 2023). ...1st and 2nd Respondents/Complainants
3. Kalimuthu ... 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 Act Cases, Pudukottai, to consider the petitioner's bail application on the same day of their surrender in Crime No.159 of 2023 on the file of the second respondent.



For Petitioners : Mr.Lenin Kumar T
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 Trial of SC/ST Act Cases, Pudukottai, to consider the petitioner's bail application on the same day of their surrender in Crime No.159 of 2023 on the file of the second respondent.

2.The petitioners are the accused persons in Crime No.159 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 294(b), 323 of IPC @ Section 294(b), 323 of IPC r/w Sections 3(1)(r), 3(1)(S) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment 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 injured in this case.

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 Trial of SC/ST Act Cases, Pudukottai, 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.

13.10.2023

Index : Yes/No

Internet : Yes/No

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To

1.The Special Court for Trial of SC/ST Act Cases, Pudukottai.

2.The Deputy Superintendent of Police,
Aranthangi Division,
Pudukottai District.

3.The Inspector of Police,
Avudaiyarkoil Police Station,
Pudukottai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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