



Crl.O.P.(MD) No.19106 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.10.2023

CORAM:

THE HONOURABLE DR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.19106 of 2023

Sudharsan

...Petitioners / 7th Accused

Vs.

1.The Deputy Superintendent of Police,
Nilakottai, Dindigul District.

2.The Inspector of Police,
Batlagundu Police Station,
Dindigul District.
(In Crime No.341/2023)

... Respondents / Complainant

3.Diwan

...3rdRespondent / Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Sessions Judge Special Court of Exclusive Trial of Cases under SC/ST (POA), Act, 1989, Dindigul to consider the petitioner's bail application on the same day of his surrender in Crime No.341 of 2023 on the file of the respondent Police.

For Petitioner : Mr.S.Muniyandi

For Respondent : Mr.M.Vaikkam Karunanithi
Nos.1 and 2 Government Advocate (Crl. Side)



Crl.O.P.(MD) No.19106 of 2023

WEB COPY

ORDER

This petition has been filed to direct the learned Judge, Sessions Judge Special Court of Exclusive Trial of Cases under SC/ST (POA), Act, 1989, Dindigul, to consider the bail application of the petitioners on the same day of his surrender before that Court in connection with Crime No.341 of 2023 on the file of the second respondent.

2. The petitioner is the accused No.7 in Crime No.341 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324, 336, 427, 506(ii) of IPC and Section 4 of TNPHW Act, r/w 3(1)(r), 3(1)(s) and 3(2)(va) of SC / ST (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 that injured person in this case has been discharged from the hospital. Accused Nos.1 to 6 were granted anticipatory bail by this Court in Crl.O.P(MD)No.17283 of 2023.



Crl.O.P.(MD) No.19106 of 2023

WEB COPY

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 learned Judge, Sessions Judge Special Court of Exclusive Trial of Cases under SC/ST (POA), Act, 1989, Dindigul, 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 his 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.

20.10.2023

NCC : Yes / No
Internet : Yes / No
Index : Yes / No

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3/4



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Crl.O.P.(MD) No.19106 of 2023

G.ILANGOVAN. J.

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To

- 1.The Judge, Sessions Judge Special Court of Exclusive Trial of Cases
under SC/ST (POA), Act, 1989, Dindigul.
2. The Deputy Superintendent of Police,
Nilakottai, Dindigul District.
- 3.The Inspector of Police,
Batlagundu Police Station,
Dindigul District.
(In Crime No.341/2023)
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD)No.19106 of 2023

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