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CrI.O.P.(MD)No.18586 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **17.10.2023**

CORAM:

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

CrI.O.P.(MD)No.18586 of 2023

N.L.R.Jeyasekaran @ Kutty Raja

... Petitioner/Accused No.2

Vs.

1.State represented by

The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Theni Sub Division,
Theni District.

2.The Inspector of Police,
Theni, Theni District,
(Crime No.464 of 2023)

3.M.Vanitha

... Respondents/Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Special Court for trial of cases under SC/ST (POA)Act, Theni District, to consider the petitioner's bail application and dispose the same on the same day if the petitioner surrenders before the Learned Special Court for trial of cases under SC/ST (POA) Act, Theni District in Crime No.464 of 2023 on the file of the respondent police.

For Petitioner : Mr.P.Vetrivel



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Crl.O.P.(MD)No.18586 of 2023



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

ORDER

This petition has been filed to direct the learned Judge, Special Court for trial of cases under SC/ST (POA)Act, Theni District, to consider the bail application of the petitioners on the same day of his surrender before that Court in connection with Crime No.464 of 2023 on the file of the second respondent.

2.The petitioner is the accused No.2 in Crime No.464 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 294(b), 323, 506(i), 109 of IPC and Section 4 of Tamilnadu Prohibition of Harassment of Women 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 only simple injury has been sustained by the injured. There is no previous case against the petitioner.



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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, Special Court for trial of cases under SC/ST (POA)Act, Theni District, 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.

17.10.2023

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

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G.ILANGO VAN. J.

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To

- 1.The Judge, Special Court for trial of cases under SC/ST (POA)Act,
Theni District,
- 2.The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Theni Sub Division, Theni District.
- 3.The Inspector of Police, Theni, Theni District,
(Crime No.464 of 2023)

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