



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **17.10.2023**

CORAM:

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

Crl.O.P.(MD)No.18660 of 2023

Ravi

... Petitioner/Accused No.2

Vs.

1.The Deputy Superintendent of Police,
Periyakulam, Theni District.

2.The Inspector of Police,
Devadanapatti Police Station,
Theni District,
(Crime No.387 of 2023)

3.Gowtham

... 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, to consider bail application of the petitioner concerned in Crime No.387/2023 on the file of the 2nd respondent police and pass orders in accordance with law on the same day on his surrender if any petition filed by the petitioner.

For Petitioner : Mr.S.Vikarm

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



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ORDER

This petition has been filed to direct the learned Judge, Special Court for trial of cases under SC/ST (POA) Act, Theni, to consider the bail application of the petitioners on the same day of his surrender before that Court in connection with Crime No.387 of 2023 on the file of the second respondent.

2.The petitioner is the accused No.2 in Crime No.387 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324, 506(ii) of IPC and Section 3(1)(r) (s), 3(2)(va) of SC/ST (POA) 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 it is a case and case in counter. The injured has been discharged from the hospital. There is no previous case against the petitioner.

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



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1)The petitioner shall appear before the learned Judge, Special Court for trial of cases under SC/ST (POA)Act, Theni, 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.ILANGOVA. J.

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To

1. The Judge, Special Court for trial of cases under SC/ST (POA) Act,
Theni.
2. The Deputy Superintendent of Police,
Periyakulam, Theni District.
3. The Inspector of Police,
Devadanapatti Police Station,
Theni District,
(Crime No.387 of 2023)

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