



CrI.O.P.(MD) No.19466 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.11.2023**

CORAM:

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

CrI.O.P.(MD)No.19466 of 2023

Joesephraj

...Petitioner / Sole Accused

Vs.

1.The State rep. by,
The Deputy Superintendent of Police,
Thoothukudi,
Thoothukudi District.

2.The Inspector of Police,
Pudukottai Police Station,
Thoothukudi District.
(In Crime No.252 of 2023)

...1st & 2nd Respondents / Complainants

3.Surya

...3rd Respondent / Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Sessions Judge, (FAC), Special Court for Trial of cases registered under SC/ST (POA) Act, Thoothukudi to consider the Petitioner's bail application on the same day of surrender in Crime No.252 of 2023 dated 05/10/2023 on the file of the 2nd Respondent Police.



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For Petitioner :Mr.G.Prabhu Rajadurai

For Respondent :Mr.M.Vaikkam Karunanithi
Government Advocate (Crl. Side)

ORDER

This petition has been filed seeking direction to the learned Sessions Judge, (FAC), Special Court for Trial of cases registered under SC/ST (POA) Act, Thoothukudi, to accept the surrender of the petitioner in connection with Crime No.252 of 2023 on the file of the 2nd Respondent Police on the same day of filing and to consider the Anticipatory Bail/ Bail petition filed by the petitioner on the same day of filing in accordance with law.

2.The petitioner is the accused persons in Crime No.252 of 2023 on the file of the 2nd respondent police for the offences punishable under Section 354A(1)(i) of IPC and under Sections 3(2)(va) and 3(1)(w)(i) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

3.Mr.M.Vaikkam Karunanithi, learned Government Advocate (Crl. Side), accepts notice for the respondents 1 and 2. He would further submit that the injured in this case has been discharged from the hospital and the petitioner has



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no previous case.

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 Sessions Judge, (FAC), Special Court for Trial of cases registered under SC/ST (POA) Act, Thoothukudi, 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.

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

- 1.The Sessions Judge, (FAC), Special Court for Trial of cases registered under SC/ST (POA) Act, Thoothukudi.
- 2.The Deputy Superintendent of Police,
Thoothukudi,
Thoothukudi District.
- 3.The Inspector of Police,
Pudukottai Police Station,
Thoothukudi District.
(In Crime No.252 of 2023)
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

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