



Crl.O.P.(MD) No.19090 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.19090 of 2023

1.Bala Jagadhees

2.R.Krishnan

3.Parthasarathi

...Petitioners / Accused No.1 to 3

Vs.

1.The Deputy Superintendent of Police,
Palanichettipatti Police Station (Circle),
Theni District.

2.The Inspector of Police,
Palanichettipatti Police Station,
Theni District.

(In Crime No.478 of 2023)

...1st & 2nd Respondents / Complainant

3.Rekkumar

...3rd Respondent / Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Learned Special Additional Sessions Judge (Special Court for SC/ST (POA) Act Cases), Theni, Theni District to consider the bail application of the petitioners in Crime No.478 of 2023 on the file of the 2nd Respondent Police on the same of surrender and dispose the same on its merits in accordance with law.



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For Petitioners :Mr.P.Mahendran

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

ORDER

This petition has been filed to direct the learned Special Additional Sessions Judge (Special Court for SC/ST (POA) Act Cases), Theni, Theni District, to accept the surrender of the petitioners and consider the bail application on the date of their surrender in connection with Crime No. 478 of 2023 on the file of the 2nd respondent Police.

2.The petitioners are the accused persons in Crime No.478 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 147, 294(b), 323, 324, 506(ii) of IPC r/w Section 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (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 the injured in this case has been discharged from the hospital. There is no previous case against the petitioners.



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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 learned Special Additional Sessions Judge (Special Court for SC/ST (POA) Act Cases), Theni, 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 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.

20.10.2023

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

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To

- 1.The Special Additional Sessions Judge,
(Special Court for SC/ST (POA) Act Cases), Theni, Theni District.
- 2.The Deputy Superintendent of Police,
Palanichettipatti Police Station (Circle),
Theni District.
(In Crime No.222 of 2023)
- 3.The Inspector of Police,
Palanichettipatti Police Station,
Theni District.
(In Crime No.478 of 2023)
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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