



Crl.O.P.(MD) No.19178 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.19178 of 2023

Shahul Hameed @ Fayaz

...Petitioner / Sole Accused

Vs.

1.State through,

The Assistant Commissioner of Police,
Annanagar,
Madurai City.

...Respondent / Investigation Officer

2.State Rep. by its,

The Inspector of Police,
Annanagar Law & Order,
Madurai City.
(In Crime No.685/2023)

...1st Respondent / Complainant

3.Ramamoorthi

...2nd Respondent / Defacto
Complainant



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PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Special Court for Exclusive Trial of cases under SC/ST (POA) Act, Madurai, pleased to accept the surrender of the petitioner and consider the petitioner's bail application on the date of surrender itself in Crime No.685 of 2023 on the file of respondent No.2 Police.

For Petitioner :Mr.R.Venkatesan

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

ORDER

This petition has been filed to direct the learned Special Court for Exclusive Trial of cases under SC/ST (POA) Act, Madurai, pleased to accept the surrender of the petitioner and consider the petitioner's bail application on the date of surrender itself in Crime No.685 of 2023 on the file of respondent No.2 Police.

2.The petitioner is the accused persons in Crime No.685 of 2023 on the file of the 2nd respondent Police for the offences punishable under Sections 448, 323, 506(ii) IPC and Sections 3(1)(vi), 3(1)(s) of the Scheduled Castes and Scheduled



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WEB COPY 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 submit that there is no injured and no previous case is pending against the petitioner.

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, Special Court for Exclusive Trial of cases under SC/ST (POA) Act, Madurai, 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 their surrender, after hearing the defacto complainant by complying with Section 15A(3) of the Act.



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WEB COPY 5. With the above observation, this Criminal Original Petition is disposed of.

30.10.2023

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

Indu

To

1. The Special Court for Exclusive Trial of cases under SC/ST (POA) Act,
Madurai.

2. State through,
The Assistant Commissioner of Police,
Annanagar,
Madurai City.

3. The Inspector of Police,
Annanagar Law & Order,
Madurai City.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVA. J.

Indu

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