



Crl.O.P.(MD).No.20270 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.11.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.20270 of 2023

1.V.Manikandan
2.S.Subesh

... Petitioners

Vs.

1.The State rep by
The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Theni Sub Division,
Theni District.n

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

3.M.Vanitha

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to direct the Learned Special Court for trial of cases under SC/ST (POA)Act,Theni District to consider the Petitioners bail application and dispose the same on the same day if the Petitioners surrender before the Learned Special Court.

For Petitioner	: Mr.P.Vetrivel
For R1 & R2	: Mr.M.vaikkam karunanithi
	Government Advocate
	(Crl.side)



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ORDER

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This petition has been filed to direct the Learned Special Court for trial of cases under SC/ST (POA) Act, Theni District to consider the Petitioners bail application and dispose the same on the same day if the Petitioners surrender before the Learned Special Court.

2. The petitioners are the accused persons 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) and 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 the injured in this case has been discharged from the hospital on 29.09.2023 and no previous case against the petitioners.

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



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1)The petitioners shall appear before the Learned 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 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.

10.11.2023

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



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To

- 1.The learned 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.n
- 3.The Inspector of Police,
Theni,
Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVA,J.

VSG

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