



CrI.O.P.(MD)No.20089 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **08.11.2023**

CORAM:

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

CrI.O.P.(MD)No.20089 of 2023

B.Uthayakumar

... Petitioner/ 1st Accused

Vs.

1.The Deputy Superintendent of Police,
Alangudi Division,
Alangudi,
Pudukkottai District.

2.The Sub Inspector of Police,
Vadakadu police station,
Vadakadu,
Pudukkottai District.
(Crime No.195 of 2023).

3.Muthukumar

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Pudukkottai, to accept the surrender of the petitioner / 1st accused and consider their bail application and grant bail on the date of surrender itself in Crime No.195 of 2023 dated 27.09.2023 on the file of the second respondent police.



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

ORDER

This petition has been filed to direct the Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Pudukkottai, to consider the bail application on the surrender of the petitioner / Accused on the same day in Crime No.195/2023, on the file of the 2nd respondent police, on merits on the same day.

2. The petitioner is the first accused in Crime No.195 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 294(b), 323, 324 and 506(2) of IPC and Section 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Caste 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 submitted that the injured has been discharged from the hospital and no previous case is pending against the petitioner.



WEB COPY

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 Judge, Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Pudukkottai, 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.

08.11.2023

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

pnn



CrI.O.P.(MD)No.20089 of 2023

G.ILANGO VAN. J.

pnn

To

- 1.The Judge, Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Pudukkottai.
- 2.The Deputy Superintendent of Police, Alangudi Division, Alangudi, Pudukkottai District.
- 3.The Sub Inspector of Police, Vadakadu police station, Vadakadu, Pudukkottai District. (Crime No.195 of 2023).
- 4.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

CrI.O.P.(MD)No.20089 of 2023

08.11.2023