



WEB COPY

Crl.O.P.(MD)No.20573 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.11.2023**

CORAM:

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

Crl.O.P.(MD)No.20573 of 2023

Rathinasamy

... Petitioner/Accused No.1

Vs.

1.The Deputy Superintendent of Police,
Periyakulam,
Theni District.

2.The Inspector of Police,
Devadhanapatti Police Station,
Theni District.
(Crime No.317 of 2023)

... Respondents/Complainants

3.Muthupandi

... 3rd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Special Court for Trial of Cases under SC/ST(POA) Act 1989, Theni, to consider the bail application of the petitioner concerned in Crime No.317/2023 on the file of R2 police.

For Petitioner : Mr.S.Vikram

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



ORDER

WEB COPY

This petition has been filed to direct the learned District and Sessions Judge, Special Court for Trial of Cases under SC/ST(POA) Act 1989, Theni, to accept the surrender of the petitioners and consider the bail application on the date of their surrender in connection with Crime No. 317 of 2023 on the file of the 2nd respondent Police.

2.The petitioners are the accused persons in Crime No.317 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 447, 294(b), 323, 324, 506(ii)of IPC r/w Section 3(1)(r)(s) and 3(2)(Va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. The learned counsel for the petitioner would submit that the earlier petition filed by the petitioner along with co-accused in Crl.O.P.(MD).No.16279 of 2023 was dismissed in respect of this petitioner.

3.Mr.M.Vaikkam Karunanithi, learned Government Advocate (Crl. side), accepts notice for the respondents 1 and 2. Considering the previous bad antecedents only the earlier application filed by the petitioner was dismissed.



4.In view of the submissions made by the learned Government Advocate (Crl. Side), this Court is of the view that there is no change of circumstances. Hence, this Court is not inclined to entertain this petition.

5.Accordingly, this criminal original petition stands dismissed.

16.11.2023

Index : Yes/No
Internet : Yes/No
TM

To

1.The District and Sessions Judge, Special Court for Trial of Cases under SC/ST(POA) Act 1989, Theni.

2.The Deputy Superintendent of Police,
Periyakulam,
Theni District.

3.The Inspector of Police,
Devadhanapatti Police Station,
Theni District.

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



WEB COPY



CrI.O.P.(MD)No.20573 of 2023

G.ILANGO VAN. J.

TM

CrI.O.P.(MD)No.20573 of 2023

16.11.2023