



WEB COPY

Crl.O.P.(MD)No.20436 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **15.11.2023**

CORAM:

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

Crl.O.P.(MD)No.20436 of 2023

Ganesan

... Petitioner/1st Accused

Vs.

1.The Deputy Superintendent of Police,
Kottaiappattinam Division,
Pudukottai District.

2.The Inspector of Police,
Manamelkudi Police Station,
Pudukottai District.
(Crime No.180 of 2023).

...Respondents No.1 and 2/
Complainants

3.Muthu

... Respondent No.3/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Special Court for Trial of SC/ST Act Cases Pudukkottai, to consider the petitioner's bail application on the same day of his surrender in Crime No.180 of 2023 on the file of the second respondent.



Crl.O.P.(MD)No.20436 of 2023

For Petitioner : Mr.T.Leninkumar

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

ORDER

This petition has been filed to direct the Special Court for Trial of SC/ST Act Cases Pudukkottai, to consider the petitioner's bail application on the same day of his surrender in Crime No.180 of 2023 on the file of the second respondent.

2.The petitioner is the accused persons in Crime No.180 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 294(b), 506(i) of IPC and Sections 3(1)(r), 3(1)(s) and 3(2)(Va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 1989.

3.Mr.M.Vaikkam Karunanithi, learned Government Advocate (Crl. Side), accepts notice for the respondents 1 and 2. He would submit that no previous case is pending against the petitioner. It is a case and counter case and the counter case is registered in Crime No.181 of 2023.



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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 Special Court for Trial of SC/ST Act Cases 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 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.

15.11.2023

NCC:Yes/No

Index : Yes/No

Internet : Yes/No

Indu



CrI.O.P.(MD)No.20436 of 2023

G.ILANGOVAN. J.

Indu

To

- 1.The Special Court for Trial of SC/ST Act Cases, Pudukkottai.
- 2.The Deputy Superintendent of Police,
Kottaipattinam Division,
Pudukottai District.
- 3.The Inspector of Police,
Manamelkudi Police Station,
Pudukottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P.(MD)No.20436 of 2023

15.11.2023