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Crl.O.P.(MD)No.20407 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.20407 of 2023

A.Murugesan

... Petitioner/1st Accused

Vs.

1.The Deputy Superintendent of Police,
Srivaikundam,
Thoothukudi District.

2.The Inspector of Police,
Srivaikundam Police Station,
Thoothukudi District.
(in Crime No.177 of 2023)

... Respondents 1 & 2/Complainant

3.S.Rajagopal

... 3rd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Special Court for Trial of Cases under SC/ST (POA) Act, Thoothukudi District, to consider the bail application of the petitioner on the same day on his surrender in connection with Crime NO.177 of 2023 on the file of the R2 Police.

For petitioner : Mr.G.R.Sathish

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



ORDER

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This petition has been filed seeking direction to the learned District and Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Thoothukudi District, to accept the surrender of the petitioner in connection with Crime No.177 of 2023 on the file of the 2nd Respondent Police on the same day of filing and to consider the Anticipatory Bail/ Bail petition filed by the petitioner on the same day of filing in accordance with law.

2.The petitioner is the accused persons in Crime No.326 of 2023 on the file of the 2nd respondent police for the offences punishable under Section 147, 148, 323, 435 & 506(ii) of IPC and under Sections 3, 4(a) of Explosive Substances Act and Section 3(1)(r), 3(1)(s) & 3(2)(va) of the Scheduled Castes and Scheduled 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 further submit that the Section 436 of IPC has been now included in this case.

4.Considering the submissions made by the learned Government



Advocate (Crl. Side) this Court is of the view that the petitioner is not entitled for any direction from this Court. He has to appear either before the respondent police or before the trial Court and seek regular bail.

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, Thoothukudi District.

2. The Deputy Superintendent of Police,
Srivaikundam,
Thoothukudi District.

3. The Inspector of Police,
Srivaikundam Police Station,
Thoothukudi District.

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



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G.ILANGO VAN. J.

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