



Crl.O.P.(MD).No.21389 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:28.11.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.21389 of 2023

K.Murugeswari

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Sivakasi,
Virudhunagar District.

2.The Inspector of Police,
Thiruthangal Police Station,
Virudhunagar District,
In (Crime No.369 of 2023)

3.Boomadevi

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to direct the learned Sessions Judge, Special court for SC/ST (POA) Act, Virudhunagar District at Srivilliputhur to consider the bail application to be filed by the petitioner on same day on their surrender in connection with Crime No. 369 of 2023.



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For Petitioner : Mr.G.R.Satish

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

ORDER

This Criminal Original Petition is filed to direct the learned Sessions Judge, Special court for SC/ST (POA) Act, Virudhunagar District at Srivilliputhur, to consider the bail application to be filed by the petitioner on same day on their surrender in connection with Crime No. 369 of 2023.

2.The petitioner is the accused persons in Crime No.369 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 294(b), 323, 355, 506(i) of IPC, Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 and Section 92 of the Rights of Persons with Disability Act, 2016 read with Section 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST (POA) Amendment Act, 2015.

3.Mr.M.Vaikkam Karunanithi, learned Government Advocate (Crl. Side), accepts notice for the respondents 1 and 2 and submitted that no



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previous case is pending against the petitioner.

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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 learned Sessions Judge, Special court for SC/ST (POA) Act, Virudhunagar District at Srivilliputhur, 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.

28.11.2023

NCC : Yes / No
Index : Yes / No

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Internet : Yes / No
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G.ILANGO VAN, J.

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To

- 1.The Sessions Judge, Special court for SC/ST (POA) Act,
Virudhunagar District at Srivilliputhur.
- 2.The Deputy Superintendent of Police, Sivakasi,
Virudhunagar District.
- 3.The Inspector of Police, Thiruthangal Police Station,
Virudhunagar District, In (Crime No.369 of 2023)
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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