



Crl.O.P.(MD).No.20647 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.11.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.20647 of 2023

Vadivelmurugan

... Petitioner / Sole Accused

Vs.

1.The Deputy Superintendent of Police,
Cheranmahadevi Sub Division,
Tirunelveli District.

2.The Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.

... Respondents 1 & 2 / Complainants

3.Esakkimuthu

... 3rd Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to direct the learned II-Additional District and Sessions Judge, Tirunelveli (PCR Court Special Court for Exclusively Tribal of Cases under SC/ST (Prevention Atrocities) Act to consider the bail petition of the petitioner on the same day on his surrender in connection with Crime No.189 of 2023 on the file of the second respondent Police.

For Petitioner : Mr.C.Saravanakumar

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



Crl.O.P.(MD).No.20647 of 2023

ORDER

This petition has been filed to direct the learned II-Additional District and Sessions Judge, Tirunelveli (PCR Court Special Court for Exclusively Tribal of Cases under SC/ST (Prevention Atrocities) Act to consider the bail petition of the petitioner on the same day on his surrender in connection with Crime No.189 of 2023 on the file of the second respondent Police.

2.The petitioner is the sole accused in Crime No.189 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 294(b), 323 and 506 (i) of IPC and Section 3(1)(r) and 3(1)(s) of SC/ST 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 submitted that no injury has been sustained by anyone and no previous case against the petitioner.

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 II-Additional District and Sessions Judge, Tirunelveli (PCR

ab403626



Crl.O.P.(MD).No.20647 of 2023

Court Special Court for Exclusively Tribal of Cases under SC/ST (Prevention Atrocities) Act 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.

Sd/-

Assistant Registrar(CS III)

// True Copy //

/11/2023

Sub Assistant Registrar(CS)

VSG

To

1.The II-Additional District
and Sessions Judge,
Tirunelveli (PCR Court Special Court
for Exclusively Tribal of Cases
under SC/ST (Prevention Atrocities) Act

ab403627



Crl.O.P.(MD).No.20647 of 2023

- 2.The Deputy Superintendent of Police,
Cheranmahadevi Sub Division,
Tirunelveli District.
- 3.The Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD).No.20647 of 2023
17.11.2023

MK/29.11.2023 4P 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023



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Vs.

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3.Esakkimuthu

... 3rd Respondent

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For Petitioner : Mr.C.Saravanakumar

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

ab403629



Crl.O.P.(MD).No.20647 of 2023

ORDER

This petition has been filed to direct the learned II-Additional District and Sessions Judge, Tirunelveli (PCR Court Special Court for Exclusively Tribal of Cases under SC/ST (Prevention Atrocities) Act to consider the bail petition of the petitioner on the same day on his surrender in connection with Crime No.189 of 2023 on the file of the second respondent Police.

2.The petitioner is the sole accused in Crime No.189 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 294(b), 323 and 506 (i) of IPC and Section 3(1)(r) and 3(1)(s) of SC/ST 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 submitted that no injury has been sustained by anyone and no previous case against the petitioner.

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 II-Additional District and Sessions Judge, Tirunelveli (PCR

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Crl.O.P.(MD).No.20647 of 2023

Court Special Court for Exclusively Tribal of Cases under SC/ST (Prevention Atrocities) Act 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.

Sd/-

Assistant Registrar(CS III)

// True Copy //

/11/2023

Sub Assistant Registrar(CS)

VSG

To

1.The II-Additional District
and Sessions Judge,
Tirunelveli (PCR Court Special Court
for Exclusively Tribal of Cases
under SC/ST (Prevention Atrocities) Act

ab403631



Crl.O.P.(MD).No.20647 of 2023

- 2.The Deputy Superintendent of Police,
Cheranmahadevi Sub Division,
Tirunelveli District.
- 3.The Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD).No.20647 of 2023
17.11.2023

MK/29.11.2023 4P 5C

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Vadivelmurugan

... Petitioner / Sole Accused

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... Respondents 1 & 2 / Complainants

3.Esakkimuthu

... 3rd Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to direct the learned II-Additional District and Sessions Judge, Tirunelveli (PCR Court Special Court for Exclusively Tribal of Cases under SC/ST (Prevention Atrocities) Act to consider the bail petition of the petitioner on the same day on his surrender in connection with Crime No.189 of 2023 on the file of the second respondent Police.

For Petitioner : Mr.C.Saravanakumar

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

ab403633



Crl.O.P.(MD).No.20647 of 2023

ORDER

This petition has been filed to direct the learned II-Additional District and Sessions Judge, Tirunelveli (PCR Court Special Court for Exclusively Tribal of Cases under SC/ST (Prevention Atrocities) Act to consider the bail petition of the petitioner on the same day on his surrender in connection with Crime No.189 of 2023 on the file of the second respondent Police.

2.The petitioner is the sole accused in Crime No.189 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 294(b), 323 and 506 (i) of IPC and Section 3(1)(r) and 3(1)(s) of SC/ST 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 submitted that no injury has been sustained by anyone and no previous case against the petitioner.

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 II-Additional District and Sessions Judge, Tirunelveli (PCR

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Crl.O.P.(MD).No.20647 of 2023

Court Special Court for Exclusively Tribal of Cases under SC/ST (Prevention Atrocities) Act 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.

Sd/-

Assistant Registrar(CS III)

// True Copy //

/11/2023

Sub Assistant Registrar(CS)

VSG

To

1.The II-Additional District
and Sessions Judge,
Tirunelveli (PCR Court Special Court
for Exclusively Tribal of Cases
under SC/ST (Prevention Atrocities) Act

ab403635



Crl.O.P.(MD).No.20647 of 2023

- 2.The Deputy Superintendent of Police,
Cheranmahadevi Sub Division,
Tirunelveli District.
- 3.The Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD).No.20647 of 2023
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MK/29.11.2023 4P 5C

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Vadivelmurugan

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2.The Inspector of Police,
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Tirunelveli District.

... Respondents 1 & 2 / Complainants

3.Esakkimuthu

... 3rd Respondent

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For Petitioner : Mr.C.Saravanakumar

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

ab403637



Crl.O.P.(MD).No.20647 of 2023

ORDER

This petition has been filed to direct the learned II-Additional District and Sessions Judge, Tirunelveli (PCR Court Special Court for Exclusively Tribal of Cases under SC/ST (Prevention Atrocities) Act to consider the bail petition of the petitioner on the same day on his surrender in connection with Crime No.189 of 2023 on the file of the second respondent Police.

2.The petitioner is the sole accused in Crime No.189 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 294(b), 323 and 506 (i) of IPC and Section 3(1)(r) and 3(1)(s) of SC/ST 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 submitted that no injury has been sustained by anyone and no previous case against the petitioner.

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 II-Additional District and Sessions Judge, Tirunelveli (PCR

ab403638



Crl.O.P.(MD).No.20647 of 2023

Court Special Court for Exclusively Tribal of Cases under SC/ST (Prevention Atrocities) Act 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.

Sd/-

Assistant Registrar(CS III)

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/11/2023

Sub Assistant Registrar(CS)

VSG

To

1.The II-Additional District
and Sessions Judge,
Tirunelveli (PCR Court Special Court
for Exclusively Tribal of Cases
under SC/ST (Prevention Atrocities) Act

ab403639



Crl.O.P.(MD).No.20647 of 2023

- 2.The Deputy Superintendent of Police,
Cheranmahadevi Sub Division,
Tirunelveli District.
- 3.The Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD).No.20647 of 2023
17.11.2023

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For Petitioner : Mr.C.Saravanakumar

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



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3.Mr.M.Vaikkam Karunanithi, learned Government Advocate (Crl. side), accepts notice for the respondents 1 and 2. He would further submitted that no injury has been sustained by anyone and no previous case against the petitioner.

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 II-Additional District and Sessions Judge, Tirunelveli (PCR

ab403642



Crl.O.P.(MD).No.20647 of 2023

Court Special Court for Exclusively Tribal of Cases under SC/ST (Prevention Atrocities) Act 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.

Sd/-

Assistant Registrar(CS III)

// True Copy //

/11/2023

Sub Assistant Registrar(CS)

VSG

To

1.The II-Additional District
and Sessions Judge,
Tirunelveli (PCR Court Special Court
for Exclusively Tribal of Cases
under SC/ST (Prevention Atrocities) Act

ab403643



Crl.O.P.(MD).No.20647 of 2023

- 2.The Deputy Superintendent of Police,
Cheranmahadevi Sub Division,
Tirunelveli District.
- 3.The Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD).No.20647 of 2023
17.11.2023

MK/29.11.2023 4P 5C

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