



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 22.11.2023

CORAM:

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

Crl.O.P.(MD) No.20979 of 2023

S.Mohamed @ Haji Mohammed ... Petitioner/2nd Accused

Vs.

1. The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Theni Sub Division,
Theni District.

2. The Inspector of Police,
Palanichettipatti Police Station,
Theni District.
Crime No.522/2023.

...Respondent Nos.1 and 2/
Complainants

3. R.Marakkamalairaja ... Defacto Complainant/Victim

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, Theni District, to consider the petitioner's bail application and dispose the same on the same day if the petitioner surrender before the Special Court for trial of cases under SC/ST(POA) Act, Theni District, in Crime No.522 of 2023 on the file of the respondent Police.

For Petitioners : Mr.P.Vetrivel

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



ORDER

WEB COPY

This petition has been filed to direct the Special Court for trial of cases under SC/ST(POA) Act, Theni District, to consider the petitioner's bail application and dispose the same on the same day if the petitioner surrender before the Special Court for trial of cases under SC/ST(POA) Act, Theni District, in Crime No.522 of 2023 on the file of the respondent Police.

2.The petitioner is the accused persons in Crime No.522 of 2023 on the file of the 2nd respondent Police for the offences punishable under Sections 147, 148, 294(b), 323, 324, 506(ii) of IPC and Sections 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 submit that the injured is discharged from the hospital and no previous case is pending against the petitioner.

4.Considering the facts and circumstances of the case, this Court is inclined to pass the following orders :-



Crl.O.P.(MD)No.20979 of 2023

1)The petitioner shall appear before the Special Court for trial of cases under SC/ST(POA) Act, Theni District, 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.

22.11.2023

NCC:Yes/No

Index : Yes/No

Internet : Yes/No

Indu



WEB COPY



Crl.O.P.(MD)No.20979 of 2023

G.ILANGOVAN. J.

Indu

To

1. The Special Court for trial of cases under SC/ST(POA) Act,
Theni District.
2. The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Theni Sub Division,
Theni District.
3. The Inspector of Police,
Palanichettipatti Police Station,
Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD)No.20979 of 2023

22.11.2023