



CrI.O.P.(MD)No.20767 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **20.11.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

CrI.O.P.(MD)No.20767 of 2023

1.Raja

2.M.Aravinthan

... Petitioners/Accused
not known

Vs.

1.The Deputy Superintendent of Police,
Aundipatti Sub Division,
Theni.

2.The Inspector of Police,
Rajathani Police Station,
Theni District,
In (Crime No.269 of 2023)

3.Maniprakash

... Respondents/Complainants

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Special Court for Trial of Cases under SC/ST(POA) Act,Theni, to accept the surrender of the petitioners and consider their bail application on same day in connection with Cr.No.269 of 2023 on the file of the 2nd respondent Police.

For Petitioner : Mr.N.Rajasekar

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



ORDER

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This Criminal Original Petition is filed to direct the learned Special Court for Trial of Cases under SC/ST(POA) Act, Theni, to accept the surrender of the petitioners and consider their bail application on same day in connection with Cr.No.269 of 2023 on the file of the 2nd respondent Police.

2.The petitioners are the accused persons in Crime No.269 of 2023 on the file of the 2nd respondent Police for the offences punishable under Sections 147, 294(b), 323, 448, 427 of IPC and Section 4 of TN Prohibition Harassment of Women Act, 2002, Sections 3(1)(r), 3(1)(s), 3(1)(x), 3(1)(xi) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

3.Mr.M.Vaikkam Karunanithi, learned Government Advocate (Crl.Side), accepts notice for the respondents 1 and 2. He would further submit that there is no previous case pending against the petitioner.

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



1)The petitioners shall appear before the learned Special Court for Trial of Cases under SC/ST(POA) Act, Theni, 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 petitioners 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.

20.11.2023

NCC:Yes/No

Index : Yes/No

Internet : Yes/No

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To

- 1.The Special Court for Trial of Cases under SC/ST(POA) Act,
Theni.
- 2.The Deputy Superintendent of Police,
Aundipatti Sub Division,
Theni.
- 3.The Inspector of Police,
Rajathani Police Station,
Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

Indu

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