



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 22.11.2023

CORAM:

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

Crl.O.P.(MD) No.20912 of 2023

Kumar @ Muthukumaran

... Petitioner/Sole Accused

Vs.

1. The Deputy Superintendent of Police,
Melur Sub Division,
Madurai District.

2. The Inspector of Police,
Keelavalavu Police Station,
Madurai District.
(Crime No.289/2023)..

...Respondent Nos.1 and 2/
Complainant

3. Aruvukam

... 3rd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 3rd Additional District and Sessions Judge, Special Court of Exclusive Trial of Cases under SC/ST(POA) Act, Madurai, to consider the petitioner's bail application on the same day of his surrender in Crime No.289/2023 on the file of the second respondent Police.

For Petitioner : Mr. A.V. Arun

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



ORDER

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This petition has been filed to direct the 3rd Additional District and Sessions Judge, Special Court of Exclusive Trial of Cases under SC/ST(POA) Act, Madurai, to consider the petitioner's bail application on the same day of his surrender in Crime No.289/2023 on the file of the second respondent Police.

2.The petitioner is the accused persons in Crime No.289 of 2023 on the file of the 2nd respondent Police for the offences punishable under Sections 294(b), 354(A)(i) of IPC and Sections 3(1)(r), 3(1)(s), 3(1)(w) (ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act and 4 of TNPHW Act, 2002.

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

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



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1)The petitioner shall appear before the learned
3rd Additional District and Sessions Judge,
Special Court of Exclusive Trial of Cases
under SC/ST(POA) Act, Madurai, 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



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G.ILANGOVAN. J.

Indu

To

- 1.The 3rd Additional District and Sessions Court,
Special Court of Exclusive Trial of Cases under SC/ST(POA) Act,
Madurai.
- 2.The Deputy Superintendent of Police,
Melur Sub Division,
Madurai District.
- 3.The Inspector of Police,
Keelavalavu Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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22.11.2023