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Crl.O.P.(MD)No.20887 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.11.2023**

CORAM:

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

Crl.O.P.(MD)No.20887 of 2023

Arun @ Sarankumar

... Petitioner/5th Accused

Vs.

1.The Deputy Superintendent of Police,
Nilakottai, Dindigul District.

2.The Inspector of Police,
Batlagundu Police Station,
Dindigul District.
(Crime No.341 of 2023)

... Respondents/Complainant

3.Diwan

... 3rd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Sessions Judge, Special Court of Exclusive Trial of Cases under SC/ST(POA) Act 1989, Dindigul, to consider the petitioner's bail application on the same day of his surrender in Crime No.341/2023 on the file of the respondent police.

For petitioner : Mr.S.Muniyandi

For Respondents : Mr.M.Vaikkam Karunanithi for R1 & R2
Government Advocate (Crl. Side)



ORDER

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This petition has been filed seeking direction to the learned District and Sessions Judge, Special Court for Trial of SC/ST Act Cases, Dindigul, to accept the surrender of the petitioner in connection with Crime No.341 of 2023 on the file of the 2nd Respondent Police on the same day of filing and to consider the Anticipatory Bail/ Bail petition filed by the petitioner on the same day of filing in accordance with law.

2.The petitioner is the accused persons in Crime No.341 of 2023 on the file of the 2nd respondent police for the offences punishable under Section 147, 148, 294(b), 323, 324, 336, 427, 506(ii) of IPC and Section 4 of TNPHW Act r/w 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 further submit that the injured in this case has been discharged from the hospital and the petitioner has no previous case.

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 District and Sessions Judge, Special Court for Trial of SC/ST Act Cases, Dindigul, 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.

22.11.2023

Index : Yes/No

Internet : Yes/No

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To

1.The District and Sessions Judge, Special Court for Trial of SC/ST Act Cases, Dindigul.

2.The Deputy Superintendent of Police,
Nilakottai, Dindigul District.



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3.The Inspector of Police,
Batlagundu Police Station,
Dindigul District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN. J.

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