



Crl.O.P.(MD) No.21287 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE G.ILANGOVAN

Crl.O.P.(MD) No.21287 of 2023

1. Dinesh @ Dhinesh Kumar

2. Velusamy

3. Vasudevan

4. Rajarajan

... Petitioners

Vs

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

2. The Inspector of Police,
Bazaar Police Station,
Ramanathapuram District. Crime No. 332 of 2023.

3. Sharuhan

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to direct learned Special Court for the exclusive trial of SC and ST Act cases, Ramanathapuram to consider the bail application of the petitioners on the same day on merits in Crime No. 332 of 2023 on the file of the respondent No.2.



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For Petitioners : Mr. S.Nihar Ali

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

ORDER

This Criminal Original Petition had been filed to direct the learned Judge, Special Court for Exclusive Trial of Cases under SC/ST(POA) Act 1989, Ramanathapuram to consider the petitioners bail applications on the same day of surrender in Crime no.332 of 2023.

2.The petitioners are accused in Crime No.332 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 294(b), 323, 324 r/w Sections 3(1)(r), 3(1)(s) 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 and submitted that the third petitioner was arrested on 25.11.2023.

4.Considering the above, this petition stands dismissed as infructuous with respect to the third petitioner.



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5.Considering the facts and circumstances of the case, this Court is inclined to pass the following orders only in respect of A1, A2, A4:-

*1)The petitioners A1, A2, A4 shall appear before the learned **Judge, Special Court for Exclusive Trial of Cases under SC/ST(POA) Act 1989, Ramanathapuram**, 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 A1, A2, A4 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.

6.With the above observation, this Criminal Original Petition is partly allowed in respect of petitioners A1, A2, A4.

27.11.2023

NCC:Yes/No
Internet:Yes/No
Index:Yes/No
PNM



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To

1. The Judge, Special Court for Exclusive Trial of Cases
under SC/ST(POA) Act 1989, Ramanathapuram

2. The Deputy Superintendent of Police,
O/o the Deputy Superintendent of Police,
Ramanathapuram Sub Division,
Ramanathapuram District.

3. The Inspector of Police,
Bazaar Police Station,
Ramanathapuram District. Crime No.332 of 2023.

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



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G.ILANGOVAN, J.

PNM

ORDER IN
Crl.O.P.(MD) No.21287 of 2023

27.11.2023