



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 29.11.2023

CORAM:

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

Crl.O.P.(MD) No.21472 of 2023

1. Dharmalingam

2. Kumar

... Petitioners/Accused Nos.1 and 2

Vs.

1. The Deputy Superintendent of Police,
Viralimalai,
Pudukottai District.

2. The Inspector of Police,
Viralimalai.
Ramanathapuram District.
Crime No.371/2023

...1st and 2nd Respondent/
Complainant

3. Thamilselvan

... 3rd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the the learned Sessions and Special Court for Trail of SC/ST(POA) Act Cases, Pudukottai, to consider bail application of the petitioner in connection with the FIR in Crime No.371/2023 on the file of the first respondent Police on the very same day of the surrender of the petitioner and consequently to enlarge the petitioner on bail on the very



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same day on merits.

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

ORDER

This petition has been filed to direct the the learned Sessions and Special Court for Trail of SC/ST(POA) Act Cases, Pudukottai, to consider bail application of the petitioner in connection with the FIR in Crime No.371/2023 on the file of the first respondent Police on the very same day of the surrender of the petitioner and consequently to enlarge the petitioner on bail on the very same day on merits

2.The petitioners are the accused persons in Crime No.371 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 294(b), 323, 506(i) IPC and Sections 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 submitted that three persons were injured in this case and injured have



been discharged from the hospital on 14.11.2023 and no previous case is pending against the petitioners.

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 Sessions and Special Court for Trail of SC/ST(POA) Act Cases, Pudukottai, 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.

29.11.2023

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

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1. The Sessions and Special Court for Trail of SC/ST(POA) Act Cases,
Pudukottai.
2. The Deputy Superintendent of Police,
Viralimalai,
Pudukottai District.
3. The Inspector of Police,
Viralimalai.
Ramanathapuram 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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