



Crl.O.P.(MD).No.21594 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:30.11.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.21594 of 2023

1. Uma @ Uma Maheswari
2. Chandrasekar
3. Ranjith @ Ranjithkumar
4. Sundaram @ Sundarapandi

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Usilampatti,
Madurai District.

2.State:
Rep. the Inspector of Police,
Uthappanaickanur Police Station,
Madurai District.
In Crime No 252 of 2023.

3.Periyasamy

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to direct the learned 3rd Additional District and Sessions Judge/Special Court for offence under (SC and ST) POA Amendment act cases (PCR Court), at Madurai to accept the surrender of the petitioners and consider their bail application on the same day on



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merits relating to Crime No.252 of 2023, dated 24.11.2023 on the file of the second respondent police.

For Petitioners : Mr.S.Sathyachidambaram
For R1 & R2 : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.side)

ORDER

This Criminal Original Petition is filed to direct the learned 3rd Additional District and Sessions Judge/Special Court for offence under (SC and ST) POA Amendment act cases (PCR Court), at Madurai to accept the surrender of the petitioners and consider their bail application on the same day on merits relating to Crime No.252 of 2023, dated 24.11.2023 on the file of the second respondent police.

2.The petitioners are the accused persons in Crime No.252 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 294(b), 341, 323 of IPC and Section 3(1)(r) and 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.



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3.Mr.M.Vaikkam Karunanithi, learned Government Advocate (Crl. side), accepts notice for the respondents 1 and 2. He would further submitted that the second petitioner was arrested on 29.11.2023. There is no previous case against the petitioners 1, 3 and 4. The injured persons has also been discharged from the hospital.

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

- 1)The petitioners 1,3 and 4 shall appear before the learned 3rd Additional District and Sessions Judge/Special Court for offence under (SC and ST) POA Amendment act cases (PCR Court), at 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 petitioners 1,3 and 4 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.



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5. Since the second petitioner was arrested already, this petition has become infructuous in far as as the second petitioner is concerned.

6. Accordingly, this Criminal Original Petition is dismissed as infructuous in so far the second petitioner is concerned. As far as the petitioners 1,3 and 4 is concerned, this Criminal Original Petition is disposed of.

7. In fine, this Criminal Original Petition is partly allowed.

30.11.2023

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

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To

- 1.The 3rd Additional District and Sessions Judge/Special Court
for offence under (SC and ST) POA Amendment act cases
(PCR Court), at Madurai.
- 2.The Deputy Superintendent of Police, Usilampatti, Madurai District.
- 3.The Inspector of Police,
Uthappanaickanur Police Station,
Madurai District.
In Crime No 252 of 2023.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J.

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