



Crl.O.P.(MD).No.22035 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED:07.12.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

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1. Muthusaravanan
2. Arun @ Arunkumar
3. Suriya @ Suryaprakash
4. Chinnan @ Chinnasamy
5. Palraj @ Balamurugan
6. Sivapandi
7. Malairaman
8. Manojkumar @ Manoj
9. Ajith
10. Gandhiraja
11. Madhavan
12. Kaliraja @ Kalidas
13. Rajkumar
14. Saran @ Saranpandi
15. Muthueswaran
16. Sajith
17. Kesavan

... Petitioners

Vs.



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1.The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Theni,
Theni District.

2.State through the Inspector of Police,
Veerapandi Police Station,
Theni District.
(In Crime No.413 of 2023)

3.Naveeneswaran

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to direct the Learned District and Sessions Judge, Special Court for the Exclusive Trial of PCR Court, Theni, Theni District to consider the bail application of the petitioners on the same day in Crime no.413 of 2023 dated 13.11.2023 on the file of 2nd Respondent.

For Petitioners : Mr.M.Maharanja

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

ORDER

This Criminal Original Petition is filed to direct the learned District and Sessions Judge, Special Court for the Exclusive Trial of PCR Court, Theni, Theni District to consider the bail application of the



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petitioners on the same day in Crime no.413 of 2023 dated 13.11.2023 on the file of 2nd Respondent.

2. The petitioners are the accused persons in Crime No.413 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324, 341, 506(ii) of IPC read with Section 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) 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 it is a case, case in counter. The injured in this case has been discharged from the hospital. There is no previous case 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 District and Sessions Judge, Special Court for the Exclusive Trial of PCR Court,



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Theni, Theni District, 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.

07.12.2023

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

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To

- 1.The District and Sessions Judge,
Special Court for the Exclusive Trial of PCR Court, Theni,
Theni District.
- 2.The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Theni, Theni District.
- 3.The Inspector of Police,Veerapandi Police Station,Theni District.
(In Crime No.413 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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