



WEB COPY

Crl.O.P.(MD)No.23409 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:22.12.2023

CORAM:

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

Crl.O.P.(MD) No.23409 of 2023

Packiaraj @ Karuppaiah

... Petitioner/6th Accused

Vs.

1.The Deputy Superintendent of Police,
Pudukottai Division,
Pudukkottai,
Pudukkottai District.

2.The Inspector of Police,
Vallathirakottai Police Station,
Vallathirakkottai,
Pudukkottai District.
Crime No.97 of 2023.

...Respondents No.1 and 2/
Complainants

3.Tamilselvan

...3rd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Special Court for SC/ST (POA) Act,1989, Pudukkottai, to accept the surrender of the Petitioner/6th accused and consider their bail application and grant bail on the date of surrender itself in Crime No.97 of 2023, dated 11.12.2023 on the file of the second respondent Police.



CrI.O.P.(MD)No.23409 of 2023

For Petitioner : Mr.K.C.Maniyarasu
For R1 & R2 : Mr.R.M.Anbunithi
Additional Public Prosecutor (CrI.side)

ORDER

This petition has been filed to direct the Special Court for SC/ST (POA) Act, 1989, Pudukkottai, to accept the surrender of the Petitioner/6th accused and consider their bail application and grant bail on the date of surrender itself in Crime No.97 of 2023, dated 11.12.2023 on the file of the second respondent Police.

2.The petitioner is the accused persons in Crime No.97 of 2023 on the file of the 2nd respondent police for the offences punishable under Sections 294(b), 323, 341 and 506(ii) IPC and r/w. Sections 3(1)(r), 3(1)(s) and 3(2)(Va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

3.Mr.R.M.Anbunithi, learned Additional Public Prosecutor, accepts notice for the respondents 1 and 2. He would submit that there is no previous case pending against the petitioner and there is no injury in this case.



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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 Special Court for SC/ST (POA) Act,1989, Pudukkottai, 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 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.

22.12.2023

Index : Yes/No
Internet : Yes/No
Indu



CrI.O.P.(MD)No.23409 of 2023

G.ILANGOVAN. J.

Indu

To

- 1.The Special Court for SC/ST (POA) Act,1989, Pudukkottai.
- 2.The Deputy Superintendent of Police,
Pudukottai Division,
Pudukkottai,
Pudukkottai District.
- 3.The Inspector of Police,
Vallathirakottai Police Station,
Vallathirakkottai,
Pudukkottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P.(MD) No.23409 of 2023

22.12.2023