



Crl.O.P.(MD) No.556 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 12.01.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P. (MD) No.556 of 2024

K.Indra

... Petitioner / Accused No.3

vs

1.The Deputy Commissioner of Police

Sivagangai Sub Division, Sivagangai.

2 .The Inspector of Police,

District Crime Branch,

Sivagangai, Sivagangai District.

(Crime No.18/2023)

3.Umamaheswari

Special Thasildhar, Adi-Dravidar Welfare,

Sivagangai, Sivagangai District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C,to direct the learned Sessions Judge (FAC) in the Court of Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, 1989, Sivagangai, to accept the surrender of the Petitioner / Accused No.3 and to consider the Petitioner's bail application and grant bail on the date of surrender itself in Crime No.18 of 2023 dated 16.11.2023 on the file of the 2nd Respondent Police.

For Petitioner : Mr.K.Dinesh



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For Respondents : Mr.M.Veeranthiran
Government Advocate (Crl.side) for R1&2
ORDER

This Criminal Original Petition has been filed to direct the learned Sessions Judge (FAC) in the Court of Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, 1989, Sivagangai, to accept the surrender of the Petitioner / Accused No.3 and to consider the Petitioner's bail application and grant bail on the date of surrender itself in Crime No.18 of 2023 dated 16.11.2023 on the file of the 2nd Respondent Police.

2. The learned Government Advocate (Crl.Side) submits that the case had been registered against the Petitioner and other Accused for the offences under Sections 403, 409, 468, 471, 420 and 120 (b) I.P.C and Section 3(1)(q), 3(2)(vii) of SC/St (POA)Act, 2015. The 1st Accused is a Revenue Inspector. They are alleged to have indulged in misappropriation of State funds, for which, the 3rd Respondent is alleged to have enquired. At that time, the Petitioner and other Accused are alleged to have abused the 3rd Respondent, based on which, the case had been registered against the Petitioner and other Accused. The Petitioner herein moved anticipatory bail, which was also dismissed.



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3. Considering the submissions made by the learned Government Advocate (Crl.Side), this Criminal Original Petition is disposed of. The Petitioner is directed to surrender before the learned Sessions Judge (FAC) in the Court of Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, 1989, Sivagangai, within 15 days from the date of receipt of a copy of this order or from the date of uploading the copy of this order in the official web-site of this Court.

4. On such surrender by the Petitioner, the learned Sessions Judge (FAC) in the Court of Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, 1989, Sivagangai, shall consider the bail application of the Petitioner and dispose of the same, after issuing notice to the 3rd Respondent / Defacto complainant and after hearing their objections of the victim of the crime, pass appropriate orders as per law.

12.01.2024

Internet:Yes/No

Index:Yes/No

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SATHI KUMAR SUKUMARA KURUP, J.

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To

1.The Sessions Judge (FAC) in the Court of Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, 1989, Sivagangai

2.The Deputy Commissioner of Police
Sivagangai Sub Division, Sivagangai.

3 .The Inspector of Police,
District Crime Branch,
Sivagangai, Sivagangai District.
(Crime No.18/2023)

4.Umamaheswari
Special Thasildhar,
Adi-Dravidar Welfare,
Sivagangai, Sivagangai District.

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

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