



Crl.O.P.(MD).No.1419 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 31.01.2024

CORAM:

THE HONOURABLE Mr. JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.(MD).No.1419 of 2024

1.V.Prabu

2.Deepak @ Deepak Raja ... Petitioners/Accused No.1 and 2

Vs.

1.The Deputy Superintendent of Police,
Nilakottai,
Dindigul District.

2.The Sub Inspector of Police,
Nilakottai Police Station,
Dindigul District.
(Crime No.27 of 2024)

...Respondents 1 & 2/Complainants

3.Krishnamoorthi ...3rd Respondent/De-facto Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned Special Judge for SC / ST (POA) Act cases, Dindigul to accept the Petitioners surrender in Crime No.27 of 2024 pending on the file of the second Respondent and enlarge the Petitioners on bail on the same day of their surrender.

For Petitioners : Mr.M.Mohamed Sherbudeen

For R-1 and R-2 : Mr.M.Veeranthiran
Government Advocate
(Criminal Side)



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ORDER

This Criminal Original Petition had been filed seeking direction against the learned Special Judge for SC / ST (POA) Act cases, Dindigul to consider bail application of the Petitioners on the day of their surrender in Crime No.27 of 2024.

2. The learned Counsel for the Petitioners submitted that the first Petitioner is working as a Branch Manager under the M/s Shriram Finance Limited and the second Petitioner is working as a Sales Officer under the same company. The third Respondent obtained vehicle loan from the said Shriram Finance Limited and failed to repay the same. Hence, the Accused No.1 and 2 abused the third Respondent and his family and threatened them with dire consequences. In this regard, a complaint was preferred by the third respondent against the petitioners, based on which the case was registered in Crime No.27 of 2024 dated 17.01.2024 for the offences punishable under Sections 294(b), 506(1) IPC, 3(1)(r) , 3(1)(s), 3(2)(va) of Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act, 1989. Hence, the Petitioner is seeking direction against the learned Special Judge for SC / ST (POA) Act cases, Dindigul to consider their bail application on the day of their surrender.



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3. The learned Government Advocate (Criminal Side) appearing for the Respondents 1 and 2 would submit that the Petitioners were arrayed as Accused No.1 and 2. The petitioners are alleged to have abused the De-facto complainant by attracting the provisions of Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. He further submitted that the Petitioners were alleged to have threatened the De-facto complainant with dire consequences.

4. Considering the submissions made by the learned Government Advocate (Criminal Side) and the learned Counsel for the Petitioners, this Court directs the Petitioners to surrender before the learned Special Judge for SC / ST (POA) Act cases, Dindigul 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.

5. On such surrender by the Petitioners and on filing an application for bail, the learned Special Judge for SC / ST (POA) Act cases, Dindigul, shall consider the bail application of the Petitioners and dispose of the same, after issuing notice to the victim of crime / De-facto complainant and after hearing their objections of the victim of the crime, pass appropriate orders as per law.



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6. With the above said direction, this Criminal Original Petition is disposed of.

31.01.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To

- 1.The Special Judge for SC / ST (POA) Act cases,
Dindigul.
- 2.The Deputy Superintendent of Police,
Nilakottai,
Dindigul District.
- 3.The Sub Inspector of Police,
Nilakottai Police Station,
Dindigul District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

Nsr

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