



Crl.O.P.(MD) No.2339 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.2339 of 2024

1. M.Solai Rajan

2. T.Prasanna Moorthi

...Petitioners

VS

1. The Deputy Superintendent of Police
Thenkarai,
Theni District.

2. State represented by
The Inspector of Police
Thenkarai Police Station,
Theni District.
(In Crime No.30 of 2024)

3. Balasubramanian

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Principal District and Sessions Judge (PCR Court Special Court for Exclusively Trial of Cases under SC/ST (Prevention of Atrocities) Act, Theni, to accept the surrender of the Petitioners and consider their bail application on the same day on merits in relating to



CrI.O.P.(MD) No.2339 of 2024

Crime No.30 of 2024 on the file of the second Respondent.

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For Petitioners : Mr.C.Sundaravadivel

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

ORDER

The learned Counsel for the Petitioner submitted that the Petitioner had filed this Criminal Original Petition seeking direction against the learned Principal District and Sessions Judge Special Court for Exclusively Trial of Cases under SC/ST (Prevention of Atrocities) Act, Theni, to accept the surrender of the Petitioner and consider their bail application in Crime No.30 of 2024, pending before the second Respondent.

2. The learned Government Advocate (Criminal Side) appearing for the Respondent Police would submit that the Petitioners are alleged to have attacked the third Respondent/de-facto complainant with bare hands due to previous enmity in the village Temple festival. The third Respondent/De-facto complainant sustained injuries and he was admitted in the hospital and



CrI.O.P.(MD) No.2339 of 2024

treated as inpatient for 3 days. Hence, the case was registered in Crime No. 30 of 2024, based on the complaint of the third Respondent with the second Respondent. There is no previous case pending against the Petitioner

3. Considering the submissions made by the learned Government Advocate (Criminal Side) and the learned Counsel for the Petitioner, this Court directs the Petitioner to surrender before the learned Principal District and Sessions Judge Special Court for Exclusively Trial of Cases under SC/ST (Prevention of Atrocities) Act, Theni, 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 Petitioners and on filing an application for bail, the learned Principal District and Sessions Judge Special Court for Exclusively Trial of Cases under SC/ST (Prevention of Atrocities) Act, Theni, shall consider the bail application of the Petitioners, after issuing notice to the victim of crime/De-facto Complainant and after hearing the objections of the victim of the crime, shall pass appropriate orders as per law.



Crl.O.P.(MD) No.2339 of 2024

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

15.02.2024

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

jbr

To

1. The Principal District and Sessions Judge, Special Court for PCR Cases,
Theni.
2. The Deputy Superintendent of Police
Thenkarai,
Theni District.
3. The Inspector of Police
Thenkarai Police Station,
Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD) No.2339 of 2024

SATHI KUMAR SUKUMARA KURUP, J.

jbr

CRL.O.P (MD) No.2339 of 2024

15.02.2024