



Crl.O.P.(MD) No.1764 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.02.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.1764 of 2024

1.K.Sriram

2.P.Kasinathan

3.K.Padma

4.K.Laksmanan

...Petitioners

VS

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

2.The Inspector of Police,
Bodinayakanur Rural Police Station,
Theni District.
Crime No.26 of 2024

3.C.Athinagaraj

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the Learned Special Court for trial of cases under SC/ST (POA) Act, Theni District to consider the Petitioners' bail application and

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dispose the same on the same day if the Petitioners surrender before the Learned Special Court for trial of Cases under SC/ST (POA) Act, Theni District in Crime No.26 of 2024 on the file of the Respondent Police.

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

ORDER

The learned Counsel for the Petitioners submits that this Criminal Original Petition has been filed to direct the Special Court for trial of cases under SC/ST (POA) Act, Theni District, to consider the Petitioners' bail application on the same day of surrender in Crime No.26 of 2024 on the file of the 2nd Respondent.

2.The learned Government Advocate (Crl.side), on instructions, would submit that the Petitioners are alleged to have attacked the third Respondent/defacto Complainant with hands, when he was viewing his mobile phone. The third Respondent and his father suffered simple injury. They were treated as out-patient.



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3.By way of rejoinder, the learned Counsel for the Petitioners submits that it is a case and counter case. The defacto Complainant is alleged to have under the influence of Alcohol abused the Petitioners, for which they questioned the defacto Complainant, in which there was a clash between two groups. Each group had preferred complaints against each other. The FIR is registered against the third Respondent in Crime No.25 of 2024.

4.Considering the submissions made by the learned Government Advocate (Crl.side), this Criminal Original Petition is disposed of with the following conditions:-

i) The Petitioners are directed to surrender before the Special Court for trial of cases under SC/ST (POA) Act, Theni District, 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.

ii) On such surrender by the Petitioners, the Special Court for trial of cases under SC/ST (POA) Act, Theni District, shall consider the bail application of the Petitioners and dispose of the same as per the provisions of SC/ST (Prevention of Atrocities) Act, 1989, after issuing notice to the



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victim of crime/complainant and hearing the objections of the victim of the
crime.

Internet: Yes./No

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Index: Yes/No

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To

1. The Judge,
Special Court for trial of cases
under SC/ST (POA) Act, Theni District.
2. The Deputy Superintendent of Police,
O/o. the Deputy Superintendent of Police,
Bodinayakanur,
Theni District.
3. The Inspector of Police,
Bodinayakanur Rural Police Station,
Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

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