



CrI.O.P.(MD) No.1913 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.02.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.1913 of 2024

A.K.Hari Baskar ...Petitioner /Accused Rank not known

Vs.

**1.The Deputy Superintendent of Police,
Musiri Sub Division, Trichy District.**

**2.The Inspector of Police
Musiri Police Station, Musiri,
Trichy District.**

(In Crime No.363/2023). ...Respondents 1 & 2 / Complainants

3.Kannan ... 3rd Respondent / Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the learned III Additional District and Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989, Trichy, to accept the surrender of the Petitioner and consider their Bail application and grant bail on the same date of surrender in connection with the case in Crime No.363 of 2023, registered on 09.09.2023 on the file of the second Respondent Police, for alleged offences under Sections 294(b), 363, 342, 323 I.P.C r/w. Sections 3(1)(r)(s), 3(2)(va)



CrI.O.P.(MD) No.1913 of 2024

of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 and r/w. Sections 3 and 4 of the Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003.

For Petitioner : Mr.J.Lawrance

For R1 and R2 : Mr.M.Veeranathan
Government Advocate (Crl.side)

ORDER

The learned Counsel for the Petitioner submits that this Criminal Original Petition has been filed to direct the learned III Additional District and Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989, Trichy, to consider the Petitioner's bail application on the same day of surrender in Crime No.363 of 2023 on the file of the 2nd Respondent.

2.The learned Government Advocate (Crl.side), on instructions, would submit that the third Respondent/defacto Complainant is alleged to have borrowed money from the Petitioner herein. This Petitioner alleged to have kidnapped the defacto complainant forcibly in a Car belonging to the Petitioner herein. The defacto complainant had not undertaken any treatment and the first Petitioner has no previous case.



Crl.O.P.(MD) No.1913 of 2024

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

i) The Petitioner is directed to surrender before the learned III Additional District and Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989, Trichy, 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 Petitioner, the learned III Additional District and Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989, Trichy, shall consider the bail application of the Petitioner and dispose of the same as per the provisions of SC/ST (Prevention of Atrocities) Act, 1989, after issuing notice to the victim of crime / defacto complainant and hearing the objections of the victim of the crime.

Internet:Yes./No
Index:Yes/No
LS

08.02.2024

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Crl.O.P.(MD) No.1913 of 2024

SATHI KUMAR SUKUMARA KURUP, J.

LS

To

- 1.The III Additional District and Sessions Judge
(Special Court for Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act 1989, Trichy.
- 2.The Deputy Superintendent of Police,
Musiri Sub Division, Trichy District.
- 3.The Inspector of Police
Musiri Police Station, Musiri,
Trichy District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CRL.O.P (MD) No.1913 of 2024

08.02.2024