



Crl.O.P.(MD).No.2240 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 14.02.2024

CORAM:

THE HONOURABLE Mr. JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.(MD).No.2240 of 2024

1.Veerakumar
2.Mahalakshmi
3.Muthupandy @ Muthupandi ... Petitioners/Accused No.1 to 3

Vs.

1.The Deputy Superintendent of Police,
Oddanchatram Sub-Division,
Dindigul District.

2.The Inspector of Police,
Sempatti Police Station,
Dindigul District.
(Crime No.17/2024)

...Respondents 1 & 2/Complainants

3.M.Panjawarnam ...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 Court for exclusive trial of SC/ST (POA) Act cases, Dindigul District to consider their bail applications and grant bail on the date of surrender itself in Crime No.17 of 2024 dated 13.01.2024 on the file of the second Respondent.

For Petitioner : Mr.K.Dinesh

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



Crl.O.P.(MD).No.2240 of 2024

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ORDER

The learned Counsel for the Petitioner submitted that the Petitioners had filed this Criminal Original Petition seeking direction against the learned Sessions Judge, Special Court for exclusive trial of SC/ST (POA) Act cases, Dindigul District, to consider the bail applications of the Petitioners on the day of their surrender in Crime No.17 of 2024 dated 13.01.2024, pending before the second Respondent.

2. The learned Government Advocate (Criminal Side) appearing for the Respondents 1 and 2 would submit that there was civil dispute. The Petitioners are alleged to have attacked the De-facto complainant with iron rod causing simple injuries, based on which the case was registered against the Petitioners by the second Respondent. He further submitted that the petitioners are alleged to have abused the De-facto complainant which attracts the provisions of Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. He also further submitted that there was no previous case pending against the Petitioners.



Crl.O.P.(MD).No.2240 of 2024

3. 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 Sessions Judge, Special Court for exclusive trial of SC/ST (POA) Act cases, Dindigul 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.

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

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

14.02.2024

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



Crl.O.P.(MD).No.2240 of 2024

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



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Crl.O.P.(MD).No.2240 of 2024

SATHI KUMAR SUKUMARA KURUP, J.

Nsr

Crl.O.P.(MD).No.2240 of 2024

14.02.2024