



Crl.O.P.(MD).No.2309 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.2309 of 2024

Sivakumar @ Anbu

... Petitioner/Sole Accused

Vs.

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

...1st Respondent/Investigation Officer

2.The Inspector of Police,
Aundipatti Police Station,
Theni District.
(Crime No.40 of 2024)

... 2nd Respondent/Complainant

3.Arjunan

...3rd Respondent/De-facto Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the Special Court for the Exclusive Trial of SC and ST Cases, Theni District to accept the surrender of the Petitioner and consider his bail application on the same day on merits in relating to Crime No. 40 of 2024 dated 01.02.2024 on the file of the second Respondent.

For Petitioner : Mr.C.Susikumar

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



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ORDER

The learned Counsel for the Petitioner submitted that the Petitioner is the sole accused Crime No.40 of 2024 on the file of the second Respondent. The Petitioner had filed this Criminal Original Petition seeking direction against the learned Sessions Judge, Special Court for the Exclusive Trial of SC and ST (POA) Act Cases, Theni District, to accept the surrender of the Petitioner and consider his bail application in Crime No.40 of 2024 dated 01.02.2024, pending before the second Respondent.

2. The learned Government Advocate (Criminal Side) appearing for the Respondents 1 and 2 would submit that the Petitioner is alleged to have set fire to the vehicle belonging to the third Respondent / De-facto Complainant. Due to the same, the vehicle got damage and the damage was estimated to Rs.50,000/-. Hence, the case was registered in Crime No.40 of 2024 dated 01.02.2024, based on the complaint of the third Respondent. Further he would submit that there are 19 previous cases against the Petitioner, out of which 13 cases were pending, 3 cases were disposed of.



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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 Sessions Judge, Special Court for the Exclusive Trial of SC and ST (POA) Act Cases, 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.

4. On such surrender by the Petitioner and on filing an application for bail, the learned Sessions Judge, Special Court for the Exclusive Trial of SC and ST (POA) Act Cases, Theni 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



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To

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- 1.The Special Court for the Exclusive Trial of SC and ST (POA) Act Cases,
Theni District.
- 2.The Deputy Superintendent of Police,
Aundipatti,
Theni District.
- 3.The Inspector of Police,
Aundipatti 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.

Nsr

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