



Crl.O.P.(MD) No.2633 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.02.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.2633 of 2024

1. Erulappan

2. Siva

3. Krishna Murthy

4. Samuthiram

... Petitioners

VS

1. The Deputy Superintendent of Police
Kovilpatti Taluk,
Thoothukudi District.

2.The Inspector of Police
Kalugumalai Police Station,
Thoothukudi District.

3. Prashant

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned District and Sessions Court cum Special Court for SC & ST Act cases, Thoothukudi, to accept the surrender of the



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Petitioner and consider their bail application on the same day on merits in relating to Crime No.31 of 2024 on the file of the second Respondent.

For Petitioner : Mr.V.Maharajan

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

ORDER

The learned Counsel for the Petitioner submitted that the Petitioners had filed this Criminal Original Petition seeking direction against the learned District and Sessions Judge cum Special Court for Exclusive Trial of Cases under SC & ST (Prevention of Atrocities) Act, Thoothukudi, to accept the surrender of the Petitioners and consider their bail application in Crime No.31 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 for driving the TATA



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Ace Mini Tanker Lorry carrying water rashly. A1 to A4 attacked the third Respondent with plastic pipes and stones. The third Respondent/De-facto complainant sustained injuries in his nose and shoulder for which he was admitted in the hospital and treated as inpatient for 5 days. Hence, the case was registered in Crime No.31 of 2024, based on the complaint of the third Respondent with the second Respondent. A1 has two previous cases, A2 has five previous cases and a history sheet is maintained against him, A3 has one case and A4 has no previous case pending against him.

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 District and Sessions Judge cum Special Court for Exclusive Trial of Cases under SC & ST (Prevention of Atrocities) Act, Thoothukudi, 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 District and Sessions Judge cum Special Court for



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Exclusive Trial of Cases under SC & ST (Prevention of Atrocities) Act, Thoothukudi, shall consider the bail application of the Petitioners, after issuing notice to the victim of crime/De-facto Complainant, 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.

20.02.2024

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

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To

1. The District and Sessions Court cum Special Court for (PCR Cases), Thoothukudi,.
2. The Deputy Superintendent of Police
Kovilpatti Taluk,
Thoothukudi District.



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3. The Inspector of Police
Kalugumalai Police Station,
Thoothukudi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

Jbr

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