



Crl.O.P.(MD) No.2877 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.02.2024

CORAM

THE HON'BLE **MR.JUSTICE SATHI KUMAR SUKUMARA KURUP**

Crl.O.P.(MD) No.2877 of 2024

Vijay @ Vijayan

... Petitioner

Vs.

The State rep. by its

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

2.The Inspector of Police,
Allinagaram Police Station,
Theni District.
(Crime No.05 of 2024)

3.Murugesan

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned Additional Sessions Judge for PCR Cases, Theni, Theni District to accept the surrender of the petitioner and to consider the bail application on the same day in accordance with law of his surrender in connection with Crime No.5 of 2024 on the file of the Inspector of Police, Allinagaram Police Station, Theni District.



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For Petitioner : Mr.B.Jeyakumar
For R1 & R2 : Mr.M.Muthumanikkam
Government Advocate (Crl. Side)

ORDER

The learned Counsel for the Petitioner would submit that the Petitioner is the sole Accused and he had filed this Petition seeking direction against the learned Session Judge, Special Court for the Exclusive Trial of Cases under the SC and ST (Prevention of Atrocities) Act, Theni, to consider bail petition on the date of his surrender and on the date of filing of such bail petition.

2. The learned Government Advocate (Crl. Side), on instructions of the Respondent 2, would submit that the Petitioner is alleged to have attacked the Respondent 3/*De facto* Complainant using Aruval (Matchette) on the neck and head of the Respondent 3/*De facto* Complainant causing serious injuries. The Respondent 3/*De facto* Complainant was admitted to the Hospital on 07.01.2024 and discharged on 17.01.2024. Major offence is punishable under Section 307 of IPC along with the provisions of SC and ST (Prevention of Atrocities) Act.



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3. On consideration of rival submission, the Petitioner is directed to surrender within a period of 15 days from the date of uploading of this order on the Website of this Court and file bail petition before the learned Sessions Judge, Special Court for the Exclusive Trial of Cases under the SC and ST (Prevention of Atrocities) Act, Theni.

4. On the date of his surrender and on the date of filing of such a bail petition, the learned Sessions Judge, Special Court for the Exclusive Trial of Cases under the SC and ST (Prevention of Atrocities) Act, Theni shall issue notice to the victim of crime/complainant and after hearing his objection, may pass appropriate orders.

5. Accordingly, this Criminal Original Petition is disposed of.

23.02.2024

Index: Yes/ No

Neutral Citation: Yes / No

Speaking Order / Non-Speaking Order

JEN



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To
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- 1.The Sessions Judge,
Special Court for Exclusive Trial of Cases under SC/ST (POA) Act,
Theni,
Theni District.
- 2.The Deputy Superintendent of Police,
Theni, Theni District.
- 3.The Inspector of Police,
Allinagaram 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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