



Crl.O.P.(MD) No.3891 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.03.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.3891 of 2024

1. M.Sahadhu Ismail
2. M.Thoulath Nisha
3. Mappillai Meeramaideen ...Petitioners

VS

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

2.The Inspector of Police
AWPS Dindigul Rural,
Dindigul District.
Crime No.05/2024.

3. A.Aishwarya ...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the Special Court for SC/ST (Prevention of Atrocities) Act Dindigul to accept the surrender of the Petitioners/Accused No.1, 2 and 3 in connection with the Crime No.05 of 2024 on the file of the second Respondent Police and to consider the Petitioner's bail application on the same day.



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For Petitioners : Mr.R.Shankar Ganesh

For R1 & R2 : Mr.B.Thanga Aravindh
Government Advocate (Crl.side)

ORDER

The learned Counsel for the Petitioners submits that the Petitioners had filed this Criminal Original Petition seeking direction against the Special Court for SC/ST (Prevention of Atrocities) Act, Dindigul, to consider the Petitioners' bail application on the same day of surrender in Crime No.5 of 2024 on the file of the 2nd Respondent.

2. The learned Counsel for the third Respondent / Defacto complainant also present in Court, he seeks that in case of direction from this Court notice may be ordered.

3. The learned Government Advocate (Crl.side), on instructions of the Respondents 1 and 2, submits that the first Petitioner is the first Accused in this case, he is alleged to have in love affair with the defacto complainant and had intercourse with her. She became pregnant, subsequently, when



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she approached the parents of the first accused, they had forcibly aborted the fetus. Based on the complaint of the defacto complainant a case in Crime No.5 of 2024 was registered for the offences under Sections 417, 376, 313, 109, 506(i) I.P.C and Section 3(2)(v), 3(1)(r), 3(1)(s) and 3(1)(w) (ii) of the SC/ST (Prevention of Atrocities) Act, 1989.

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

i) The Petitioners are directed to surrender before the Special Court for SC/ST (Prevention of Atrocities) Act, Dindigul, 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 Petitioners, the Special Court for SC/ST (Prevention of Atrocities) Act Dindigul, shall consider the bail application of the Petitioners after issuing notice to the victim of crime/Complainant and hearing the objections of the victim of the crime and shall dispose of the



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bail application as per law. The discretion either dismissing or granting the bail application is exclusively discretion of the learned Special Judge for SC/ST (Prevention of Atrocities) Act Dindigul.

Internet: Yes./No

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Index: Yes/No

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To

- 1.The Special Judge for SC/ST (Prevention of Atrocities) Act,
Dindigul
- 2.The Deputy Superintendent of Police,
Dindigul Rural Sub Division,
Dindigul District.
- 3.The Inspector of Police
AWPS Dindigul Rural,
Dindigul 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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