



CrI.O.P.(MD) No.3918 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.3918 of 2024

1.Rasu @ Rajkumar

2.Jancy @ Jansirani

3.Prasanth

4. Kannaki

5.Amarnath

...Petitioners

vs.

1.The Deputy Superintendent of Police,
Devakottai, Sivagangai District.

2. The Inspector of Police
Devakottai Taluk Police Station,
Sivagangai District.
Crime No. 61/2024

3. Vivek

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the District and Sessions Judge (PCR Act cases), Special Court for Exclusive trial of Cases under SC/ST (POA) Act, Sivagangai, to consider the bail application that will be filed by the Petitioners in Crime No. 61 of 2024 on the file of the Inspector of Police, Devakottai Taluk Police Station, Sivagangai District.



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Crl.O.P.(MD) No.3918 of 2024

For Petitioners : Mr.P.Kandasamy
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 learned District and Sessions Judge (PCR Act cases), Special Court for Exclusive trial of Cases under SC/ST (POA) Act, Sivagangai, to consider the Petitioners' bail application on the same day of surrender in Crime No. 61 of 2024 on the file of the 2nd Respondent.

2. The learned Government Advocate (Crl.side), on instructions of the Respondents 1 and 2, submits that the defacto complainant / third Respondent is an accused in Crime No.57 of 2024. It is the case and counter case. The defacto complainant / third Respondent injured and admitted in hospital for 10 days and discharged. Based on the complaint of the defacto complainant, a case in Crime No.61 of 2024 was registered for the offences under Sections 147, 148, 294(b), 342, 324, 355, 506(ii) I.P.C and Sections 3(1)(r) and 3(1)(s) of the SC/ST (Prevention of Atrocities) Act.

3.Considering the submissions made by the learned Counsel for the Petitioners and the learned Government Advocate (Crl.side), this Criminal



CrI.O.P.(MD) No.3918 of 2024

Original Petition is disposed of with the following conditions:-

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i) The Petitioners are directed to surrender before the learned District and Sessions Judge (PCR Act cases), Special Court for Exclusive trial of Cases under SC/ST (POA) Act, Sivagangai, 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 learned District and Sessions Judge (PCR Act cases), Special Court for Exclusive trial of Cases under SC/ST (POA) Act, Sivagangai, 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 bail application as per law. The discretion either dismissing or granting the bail application is exclusively the discretion of the learned District and Sessions Judge (PCR Act cases), Special Court for Exclusive trial of Cases under SC/ST (POA) Act, Sivagangai.

Internet :Yes./No

Index :Yes/No

NCC : Yes/No

LS

12.03.2024



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CrI.O.P.(MD) No.3918 of 2024

SATHI KUMAR SUKUMARA KURUP, J.

LS

To

- 1.The District and Sessions Judge (PCR Act cases),
Special Court for Exclusive trial of Cases
under SC/ST (POA) Act,
Sivagangai.
- 2.The Deputy Superintendent of Police,
Devakottai, Sivagangai District.
3. The Inspector of Police
Devakottai Taluk Police Station,
Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CRL.O.P (MD) No.3918 of 2024

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