



*Crl.O.P.(MD).No.4028 of 2024*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 14.03.2024

CORAM:

**THE HONOURABLE Mr. JUSTICE SATHI KUMAR SUKUMARA KURUP**

Crl.O.P.(MD).No.4028 of 2024

Palani @ Palani Murugan

... Petitioner/Accused No.4

Vs.

1.The Deputy Superintendent of Police,  
Thirumangalam Division,  
Madurai District.

2.The Inspector of Police,  
Koodakovil Police Station,  
Madurai District.  
(Crime No.17 of 2024)

...Respondents 1 & 2/Complainants

3.Suntharaj

...3<sup>rd</sup> Respondent/De-facto Complainant

**Prayer :** Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned Special Judge for SC/ST (POA) Act/3<sup>rd</sup> Additional District and Sessions Court (PCR), Madurai to consider the bail application of the Petitioner on the same day of his surrender in Crime No.17 of 2024 on the file of the second Respondent Police.

For Petitioner : Mr.R.Ponkarthikeyan

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



*Crl.O.P.(MD).No.4028 of 2024*

## **ORDER**

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The learned Counsel for the Petitioner submitted that the Petitioner is arrayed as Accused No.4 in Crime No.17 of 2024 on the file of the second Respondent Police. The Petitioner had filed this petition seeking direction against the learned Sessions Judge, Special Court for exclusive trial of SC/ST (POA) Act cases / 3<sup>rd</sup> Additional District and Sessions Court (PCR), Madurai, to consider the bail application of the Petitioner on the day of his surrender in Crime No.17 of 2024.

2. The learned Government Advocate (Criminal Side) appearing for the Respondents 1 and 2 would submit that the Petitioner is alleged to have stolen two wheeler. When the de-facto Complainant came to know about the same, he shouted at the Petitioner. The Petitioner along with other accused are alleged to have attacked the de-facto complainant and his wife causing injuries, based on which the case was registered against the Petitioner by the second Respondent. He further submitted that the petitioner is alleged to have abused the de-facto complainant using caste slur, which attracts the provisions of Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. He would further submitted that there is no previous case against the Petitioner.



*Crl.O.P.(MD).No.4028 of 2024*

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 exclusive trial of SC/ST (POA) Act cases / 3<sup>rd</sup> Additional District and Sessions Court (PCR), Madurai, 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 exclusive trial of SC/ST (POA) Act cases / 3<sup>rd</sup> Additional District and Sessions Court (PCR), Madurai, 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 pass appropriate orders as per law.

5. With the above said direction, this Criminal Original Petition is disposed of.

**14.03.2024**

NCC:yes/no  
Index:yes/no  
Internet:yes/no

<https://www.mhcv.gov.in/judis>



*Crl.O.P.(MD).No.4028 of 2024*

To

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- 1.The Special Court for exclusive trial of SC/ST (POA) Act cases  
/ 3<sup>rd</sup> Additional District and Sessions Court (PCR),  
Madurai.
- 2.The Deputy Superintendent of Police,  
Thirumangalam Division,  
Madurai District.
- 3.The Inspector of Police,  
Koodakovil Police Station,  
Madurai District.
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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*Crl.O.P.(MD).No.4028 of 2024*

**SATHI KUMAR SUKUMARA KURUP, J.**

Nsr

Crl.O.P.(MD).No.4028 of 2024

14.03.2024