



CrI.O.P.(MD) No.4505 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.4505 of 2024

Chinnadurai,

... Petitioner

Vs

1. The Deputy Superintendent Of Police,
Office of Deputy Superintendent of Police,
Kottaipattinam,
Pudukkottai District.

2. The Inspector of Police,
Thirupunavasal Police Station,
Pudukkottai District.
Crime No.55/2022.

3. Tamilselvan,

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Sessions Judge, Special Court for exclusive trial of SC/ST (POA) Act Cases, Pudukkottai to accept the surrender of petitioner and consider his bail application on the very same day on merits in connection with Crime No.55/2022, on the file of the second Respondent.



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

ORDER

The learned Counsel for the Petitioner submitted that the Petitioner is arrayed as A5 in Crime No.55/2022 pending on the file of the Inspector of Police, Thirupunavasal Police Station, Pudukottai District, and the Petitioner had filed this Criminal Original Petition seeking direction against the learned Sessions Judge, Special Court for the Exclusive Trial of cases under SC and ST (Prevention of Atrocities) Act, Pudukottai District, to accept the surrender of the Petitioner and consider his bail application in Crime No.55/2022, pending before the second Respondent.

2. The learned Government Advocate (Criminal Side) appearing for the Respondents 1 and 2 would submit that the third Respondent was attacked by the Petitioner and four others, when the third Respondent is alleged to have advised the A1 in this case, to drive the two-wheeler slowly and cautiously considering the safety of the children playing on the street.



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The A1 along with his friends are alleged to have objected to the advice of the third Respondent and attacked him with wooden log and knife. The third Respondent is alleged to have attacked him on shoulder and behind his neck, which resulted in injury. The Petitioner herein extended life threat to the defacto complainant. Hence, the case was registered in Crime No. 55/2022 under the provisions of SC/ST (Prevention of Atrocities) Act, based on the complaint of the third Respondent with the second Respondent. It is a case and counter and no previous case pending against the Petitioner.

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 the Exclusive Trial of cases under SC and ST (Prevention of Atrocities) Act, Pudukottai District, 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.



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4. On such surrender by the Petitioner and on filing an application for bail, the learned Sessions Judge, Special Court for the Exclusive Trial of cases under SC and ST (Prevention of Atrocities) Act, Pudukottai District, 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, shall pass appropriate orders as per law.

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

21.03.2024

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

LR



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To

1. The Sessions Judge,
Special Court for the Exclusive Trial of cases
under SC and ST (Prevention of Atrocities) Act,
Pudukkottai District.

2. The Deputy Superintendent Of Police,
Office of Deputy Superintendent of Police,
Kottaiappattinam,
Pudukkottai District.

3. The Inspector of Police,
Thirupunavasal Police Station,
Pudukkottai District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

LR

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