



Crl.O.P.(MD) No.22714 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.01.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.22714 of 2023

1. Kannan
2. Kumaneswaran
3. Manimuthu
4. Gowsik
5. Karmegakannan@Kuppakalai ...Petitioners

VS

1. The Deputy Superintendent of Police
Manamadurai Sub Division,
Sivagangai District.

2.The Inspector of Police
Sipcot Police station,
Sivagangai District.
(In Crime No.159/2023)

3.Raja ...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Special Court for SC/ST (PoA) Act cases, Sivagangai, Sivagangai District, to consider the bail application of the petitioners/Accused to be filed in Crime No.159 of 2023 on the file of the respondent Police and to accept their surrender on the same day on merits.



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For Petitioners : Mr.R.Balamuruganantham

For R1 & R2 : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

This Criminal Original Petition had been filed to direct the learned Special Judge for SC/ST (PoA) Act cases, Sivagangai, Sivagangai District, to consider the bail application of the Petitioners/Accused to be filed in Crime No.159 of 2023 on the file of the Respondent Police and to accept their surrender on the same day on merits.

2. The learned Counsel for the Petitioners submitted that the Petitioners are arrayed as A1 and A3 to A6. The learned Counsel for the Petitioners would submit that due to love marriage between a girl, who belong to a different community, and the boy belonging to SC community, there had been a clash between two groups, for which a false complaint has been lodged, as though the Petitioners herein had threatened the de-facto complainant.



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3. It is the submission of the learned Counsel for the Petitioners that only due to inter-caste marriage, the case had been foisted against the Petitioners. It is the submission of the learned Counsel for the Petitioners that the Petitioners apprehend arrest by the Respondent Police. Therefore, they seek protection from arrest by way of direction to the learned Sessions Judge, Special Court under SC/ST (PoA) Act, 1989.

4. The learned Additional Public Prosecutor objects to the submission of the learned Counsel for the Petitioners stating that A1 has three cases, A2 has two cases, A4 has two cases and A6 has seven cases. A2 was arrested and remanded to judicial custody and the victim of the case was admitted in the hospital on 08.12.2023 and discharged on 12.12.2023.

5. Considering the guidelines under Section 15A of the SC/ST (PoA) Act, 1989, the Petitioners are directed to surrender before the learned Sessions Judge, Special Court to deal with SC/ST (PoA) Act, 1989 at Sivagangai. Till such time, the Respondent Police are directed not to harass the Petitioners. The learned Sessions Judge, Special Court to deal with



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SC/ST (PoA) Act, Sivagangai shall pass appropriate orders on such surrender.

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

02.01.2024

Internet:Yes/No

Index:Yes/No

Akv/Jbr

Note: Issue on 04.01.2024

To

1. The Deputy Superintendent of Police
Manamadurai Sub Division,
Sivagangai District.
- 2.The Inspector of Police
Sipcot Police station,
Sivagangai District.
(In Crime No.159/2023)



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SATHI KUMAR SUKUMARA KURUP, J.

Akv/Jbr

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