



*Crl.O.P.(MD) No.6248 of 2023*

**WEB COPY** BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

**DATED: 19.07.2023**

**CORAM:**

**THE HONOURABLE DR.JUSTICE D.NAGARJUN**

**Crl.O.P.(MD) No.6248 of 2023**

1.Karunai Mani

2.Pugazhendhi @ Vignesh

3.Balamurugan

... Petitioners

**Vs.**

1.The Deputy Superintendent of Police,  
DSP Office, Thiruvaiyaru Saragam,  
Thanjavur 613 402.

2.The Inspector of Police,  
Sengipatti Police Station,  
Thanjavur 613 402.  
Crime No.63 of 2023

3.Selvamani

..Respondents

**PRAYER :** Criminal Original Petition is filed under Section 482 of Cr.P.C, to accept the surrender of the petitioners before the Special Court for SC/ST



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(Prevention of Atrocities) Act, ie., the First Additional District and Sessions Judge at Thanjavur in connection with the Crime No.63 of 2023 on the file of the 2<sup>nd</sup> respondent police and to consider the bail application filed by the petitioner on the same day.

For Petitioners : Mr.M.Rajarajan

For R1 & R2 : Mr.SS.Madhavan  
Government Advocate (Crl.side)

### **ORDER**

This Criminal Original Petition is filed seeking for a direction to the Special Court for SC/ST (Prevention of Atrocities) Act, ie., the First Additional District and Sessions Judge at Thanjavur to consider the bail application of the petitioners on the same day on merits in Crime No.63 of 2023 on the file of the second respondent.

2.It is submitted by the learned counsel appearing for the petitioners that the petitioners are the accused Nos.1, 3 and 4 in Crime No.63 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 147, 148, 341, 294(b), 324, 355 and 506 (ii) IPC and Section 3(1)(r), 3(1)(s) 3(2)(va) of the SC/ST (Prevention of Atrocities) Act, 1989 and that they



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intend to surrender before the learned Special Judge and sought for a direction to dispose of the bail application on the very same day in Crime No.63 of 2023 on the file of the second respondent.

3.The learned Government Advocate (Crl.side) submits that the petitioner No.1/A1 has two previous cases.

4.Insofar as the petitioner No.1 is concerned, the learned counsel for the petitioners requests the Court to permit him to withdraw this petition. He has accordingly endorsed on the docket and this petition is dismissed as withdrawn, insofar as the petitioner No.1/A1 alone is concerned.

5.Considering the circumstances, the petitioner Nos.2 and 3/A3 and A4 are at liberty to surrender before the Special Court for SC/ST (Prevention of Atrocities) Act, ie., the First Additional District and Sessions Judge at Thanjavur, within a period of 15 days from the date of receipt of a copy of this order. If the petitioner Nos.2 and 3 surrender and file bail application, the learned Special Judge is directed to dispose of the same as per law as expeditiously as possible



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preferably on the same day by giving notice to the prosecutor and on hearing both sides.

6.It is needless to state that merely because this direction is given to dispose of the application as expeditiously as possibly on the very same day does not mean that the bail application shall be allowed. The learned Special Judge is required to hear both sides on merits and dispose of the same as per law and this Petition is disposed of insofar as the petitioner Nos.2 and 3/A3 and A4 are concerned.

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

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To

- 1.The First Additional District and Sessions Judge  
at Thanjavur.
- 2.The Deputy Superintendent of Police,  
DSP Office, Thiruvaiyaru Saragam,  
Thanjavur 613 402.
- 3.The Inspector of Police,  
Sengipatti Police Station, Thanjavur 613 402.

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



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**DR.D.NAGARJUN. J.**

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