



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **04.07.2023**

CORAM:

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

Crl.O.P.(MD)No.10184 of 2023

1.Abdul Rahman

2.Mohamed Hamaludeen

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Pudukkottai Town Division,
Pudukkottai District.

2.The Inspector of Police,
Thirukokarnam Police Station,
Pudukkottai District.
(Crime No.146 of 2023)

3.Karthik Raj

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned District and Sessions Judge, (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Pudukkottai to accept the surrender of the petitioners and consider their bail application on the same day in connection with Crime No.146 of 2023 pending on the file of the second respondent police.



For Petitioners : Mr.A.Balaji
For R1 and R2 : Mr.B.Thanga Aravindh
Government Advocate Crl.Side)

ORDER

This Criminal Original Petition is filed seeking for a direction to the learned District and Sessions Judge, Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Pudukkottai to consider the bail application of the petitioners on the same day on merits in Crime No.146 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 in Crime No.146 of 2023 on the file of the second respondent police, which is registered for the offences under Sections 147, 294(b), 323, 324, 307 and 506(2) IPC and their rank number was not known.

3.The petitioners submit that they 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.146 of 2023 on the file of the second respondent.



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4.Considering the circumstances, the petitioners are at liberty to surrender before the learned District and Sessions Judge, Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Pudukkottai within a period of 15 days from the date of receipt of a copy of this order. If the petitioners surrender and file bail application, the learned Special Judge is directed to dispose of the same as per law as expeditiously as possible preferably on the same day by giving notice to the prosecutor and on hearing both sides. It is needless to state that merely because this direction is given to dispose of the application possibly on the very same day does not mean that the bail application shall be allowed. The learned Special Judge is directed to consider and dispose of the same on hearing both sides on the basis of merits and as per law. This petition is disposed of accordingly.

Index : Yes/No
Internet : Yes/No
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04.07.2023

To

1.The District and Sessions Judge,
(Special Court for Scheduled Castes and Scheduled
Tribes (Prevention of Atrocities) Act, 1989,
Pudukkottai.



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- 2.The Deputy Superintendent of Police,
Pudukkottai Town Division,
Pudukkottai District.
- 3.The Inspector of Police,
Thirukokarnam Police Station,
Pudukkottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

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