



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **07.07.2023**

CORAM:

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

CrI.O.P.(MD) No.12300 of 2023

1.Sangar

2.P.Thesingurajan

3.S.Suresh

4.R.Prabakaran

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Kumbakonam Sub Division,
Thanjavur District.

2.The Inspector of Police,
Swamimalai Police Station,
Thanjavur District.
(Crime No.307 of 2023)

3.C.Sangar

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Sessions Judge, Special Court for Trial of cases registered under SC/ST(POA) Act, Thanjavur District to consider the bail application to be filed by the petitioners on the same day of its



filing on their surrendering in connection with the case in Crime No.307 of 2023 on the file of the Inspector of Police, Swamimalai Police Station, Thanjavur District.

For Petitioners : Mr.R.L.Dhilipan Pandian
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 Sessions Judge, Special Court for Trial of cases registered under SC/ST(POA) Act, Thanjavur District to consider the bail application of the petitioners on the same day on merits in Crime No.307 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 to 4 in Crime No. 307 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 294(b), 323 and 506 (1) IPC and 3(1)(r), 3(1)(s) and 3(2)(va) of the SC/ST (Prevention of Atrocities) Act, 1989 and 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.307 of 2023 on the file of the second respondent.



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3.Considering the circumstances, the petitioners are at liberty to surrender before the learned Sessions Judge, Special Court for Trial of cases registered under SC/ST(POA) Act, Thanjavur District, 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.

4.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.

Index : Yes/No
Internet : Yes/No
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07.07.2023

To

1.The Sessions Judge, Special Court for Trial of cases
registered under SC/ST(POA) Act,
Thanjavur District.



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- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Kumbakonam Sub Division,
Thanjavur District.
- 3.The Inspector of Police,
Swamimalai Police Station,
Thanjavur 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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