



CrI.O.P.(MD)No.12571 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **12.07.2023**

CORAM:

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

CrI.O.P.(MD) No.12571 of 2023

1.Panju @ Panchavarnam

2.Vijayaveni

... Petitioners / Accused Nos.1 & 2

Vs.

1.The Assistant Commissioner of Police,
Thirupparankundram, Madurai.

2.The State represented by
the Inspector of Police,
Thirunagar Police Station,
Madurai City.

(in Crime No.487 of 2021) ..Respondent Nos/1 & 2 / Complainants

3.Ganeswari ..3rd Respondent / *Defacto* Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned III Additional District Sessions Judge, (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Madurai, to accept the surrender of the petitioners and consider their bail application and grant bail on the same date of surrender itself in connection with the case in Crime No.485 of 2023 registered on 29.06.2023 on the file of the second respondent Police for the alleged offences under Sections 294 (b), 323 of I.P.C. r/w. and Sections 3 (1) (r), 3 (1) (s) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.



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For Petitioners : Mr.J.Lawrance
For R1 and R2 : Mr.Thanga Aravindh
Government Advocate Crl.Side)

ORDER

This Criminal Original Petition is filed seeking for a direction to the learned III Additional District Sessions Judge, (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Madurai, to accept the surrender of the petitioners and consider their bail application and grant bail on the same date of surrender itself

2. It is submitted by the learned counsel appearing for the petitioners that the petitioners are Accused Nos.1 and 2 in Crime No.485 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 294 (b) and 323 of I.P.C. r/w. Sections 3 (1) (r) and 3 (1) (s) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

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.485 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 III Additional District Sessions Judge, (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Madurai, 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.

Index : Yes/No
Internet : Yes/No
tsg

12.07.2023



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DR.D.NAGARJUN. J.

tsg

To

- 1.The III Additional District Sessions Judge
(Special Court for Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act, 1989, Madurai,
- 2.The Assistant Commissioner of Police,
Thirupparankundram, Madurai.
- 3.The State represented by
the Inspector of Police,
Thirunagar Police Station,
Madurai City.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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