



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **18.07.2023**

CORAM:

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

**Crl.O.P.(MD) No.12912 of 2023**

1.Mani @ Subiramanian

2.Vandimalaiyan

3.Vandimalaiyan

... Petitioners

Vs.

1.The Deputy Superintendent of Police,  
Srivaikundam,  
Tuticorin District.

2.The Inspector of Police,  
Seidunganallur Police Station,  
Thoothukudi District.  
(Crime No.104 of 2023)

3.Mundasamy

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Special Court for offence under (SC/ST) POA Amendment Act cases (PCR Court), at Thoothukudi to accept the surrender of the petitioners and consider their bail application on the same day on merit relating to Crime No.104 of 2023 dated 04.07.2023.



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*Crl.O.P.(MD)No.12912 of 2023*



For Petitioners : Mr.S.Sathya Chidambaram  
For R1 and R2 : Mr.SS.Madhavan  
Government Advocate (Crl.Side)

### **ORDER**

This Criminal Original Petition is filed seeking for a direction to the Special Court for offence under (SC/ST) POA Amendment Act cases (PCR Court), at Thoothukudi to consider the bail application of the petitioners on the same day on merits in Crime No.104 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, 6 and 12 in Crime No.104 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 147, 148, 341, 294(b), 323, 324, 307 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 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.104 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 Special Court for offence under (SC/ST) POA Amendment Act cases (PCR Court), at Thoothukudi, 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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**18.07.2023**

To

1.The Judge,  
Special Court for offence under  
(SC/ST) POA Amendment Act cases  
(PCR Court), at Thoothukudi.



*CrI.O.P.(MD)No.12912 of 2023*

- 2.The Deputy Superintendent of Police,  
Srivaikundam,  
Tuticorin District.
- 3.The Inspector of Police,  
Seidunganallur Police Station,  
Thoothukudi 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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**18.07.2023**