



CrI.O.P.(MD)No.12945 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 17.08.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

CRL.O.P.(MD)No.12945 of 2023

- 1.Ravi @ Ravikarthikeyan
- 2.Balaji
- 3.Manikandan @ Muthumanikandan
- 4.Ukkirapandian @ Ukkarama Pandian ... Petitioners / Accused Nos.1 to 4

Vs.

- 1.The Deputy Superintendent of Police,
Uthamapalayam, Theni District.
- 2.The Inspector of Police,
Uthamapalayam Police Station,
Theni District.
(Crime No.225 of 2023) ... Respondents 1 & 2 /
Complainants
- 3.Alexandar ... 3rd Respondent / Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, praying this Court to direct the Special Court for Trial of Cases under SC/ST (POA) Act, Theni to consider the bail application of the petitioners concerned in Crime No.225 of 2023 on the file of the 2nd respondent Police and pass orders in accordance with law on the same day on their surrender if any petition filed by the petitioners.



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For Petitioners : Mr.S.Vikram
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 Trial of Cases under SC/ST (POA) Act, Theni, to consider the bail application of the petitioners on the same day on merits in Crime No.225 of 2023 on the file of the respondent No.2 police.

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.225 of 2023 on the file of the respondent No.2 police, which was registered for the offences under Sections 294(b), 323 and 506(i) IPC 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.225 of 2023 on the file of the respondent No.2 police.

3.Learned Government Advocate (Criminal Side) on the other hand submits that the petitioner Nos.1,2 and 4/A1, A2 and A4 are having 3, 1 and 6 previous cases respectively and no previous case is pending against the petitioner No.3.



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4.Considering the circumstances, the petitioner No.3 is at liberty to surrender before the Special Court for Trial of Cases under SC/ST (POA) Act, Theni, within a period of 15 days from the date of receipt of a copy of this order. If the petitioner No.3 surrenders and files 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.

5.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. This Petition is partly allowed accordingly.

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

17.08.2023

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To

1.The Deputy Superintendent of Police,
Uthamapalayam, Theni District.



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2.The Inspector of Police,
Uthamapalayam Police Station,
Theni District.

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



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DR.D.NAGARJUN. J.

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