



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **20.07.2023**

CORAM:

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

Crl.O.P.(MD) No.13013 of 2023

1.Manikanda Prabu

2.Manikandan

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Mudukulathur,
Ramanathapuram District.

2.The Inspector of Police,
Mudukulathur Police Station,
Ramanathapuram District.
Crime No.133 of 2023.

3.Thirish

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Special Court for the exclusive trial of SC and ST Cases, Ramanathapuram, to consider the petitioners bail petition on merits upon the petitioners surrender before the said Court and enlarge the petitioners on bail on the same day according to the law in Crime No.133 of 2023 on the file of the second respondent Police.

For Petitioner	: Mr.R.Boomee Rajan
For R1 and R2	: Mr.B.Thanga Aravindh
	Government Advocate (Crl.Side)



ORDER

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This Criminal Original Petition is filed seeking for a direction to the learned Special Court for the exclusive trial of SC and ST Cases, Ramanathapuram, to consider the bail application of the petitioners on the same day on merits in Crime No.133 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 accused Nos.2 and 3 in Crime No.133 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 341, 294(b), 324 and 506(ii) IPC r/w 3(1)(r), 3(1)(s) and 3(2)(va) of the SC/ST (Prevention of Atrocities) Act, 1989.

3.The petitioners submit that they intend to surrender before the learned Special Judge for the exclusive trial of SC and ST Cases, Ramanathapuram and sought for a direction to dispose of the bail application on the very same day in Crime No.133 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 Special Judge for the exclusive trial of SC and ST Cases, Ramanathapuram, 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.

5.It is needless to state that merely because this direction is given to dispose of the application as expeditiously as possible 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
ssb

20.07.2023

Note: Issue order copy on **24.07.2023**



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Crl.O.P.(MD)No.13013 of 2023



To

- 1.The Special Court for the exclusive trial of SC and ST Cases,
Ramanathapuram.
- 2.The Deputy Superintendent of Police,
Mudukulathur,
Ramanathapuram District.
- 3.The Inspector of Police,
Mudukulathur Police Station,
Ramanathapuram District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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CrI.O.P.(MD)No.13013 of 2023

DR.D.NAGARJUN. J.

ssb

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20.07.2023