



Crl.O.P(MD) No.13278 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 25.07.2023

CORAM:

The Hon`ble Dr.Justice **D.NAGARJUN**

Crl.O.P.(MD)No.13278 of 2023

1.Parimala

2.Anandhan

... Petitioners / Accused Rank not known

Vs

1.The Deputy Superintendent of Police,
Lalgudi Division,
Trichy District.

2.The Inspector of Police,
All Women Police Station,
Lalgudi,
Trichy District.
(Cr.No.38 of 2022)

... Respondents

Prayer: Petition filed under Section 482 of Cr.P.C., to direct the 1st Additional District Judge (Special Court for SC/ST (POA) Act Cases), Trichy, to consider the bail applications of the petitioners on the same date of their surrender in connection with Crime No.38 of 2022 registered on the file of the second respondent.



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For Petitioner : M/S. V.Angusamy
For R1 and R2 : Mr.S.S.Madhavan
Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition is filed seeking for a direction to the I Additional District Judge (Special Court for SC/ST (POA) Act Cases), Trichy, to consider the bail applications of the petitioners on the same day, on merits in Crime No.38 of 2022 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.1 and 2 in Crime No.38 of 2022 on the file of the first respondent police, which was registered for the offences under Sections 294(b) of IPC, 3(1)(r), 3(1)(s) of the SC/ST (POA) Amended Act, 2015 and Section 4 of TNPHW Act.



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3. The petitioners submit that they intends 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.38 of 2023 on the file of the second respondent.

4. The learned Government Advocate (Crl.side) would submit that no previous case has been pending against the petitioners. Nobody has sustained injury in the incident.

5. Considering the circumstances, the petitioners are at liberty to surrender before the I Additional District Judge (Special Court for SC/ST (POA) Act Cases), Trichy, within a period of 15 days from the date of receipt of a copy of this order. If the petitioners surrender and file bail applications, 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



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consider and dispose of the same on hearing both sides on the basis of merits and as per law.

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

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To

- 1.The Additional District Judge
(Special Court for SC/ST (POA) Act Cases), Trichy,
- 2.The Deputy Superintendent of Police, Lalgudi Division,
Trichy District.
- 3.The Inspector of Police, All Women Police Station,
Lalgudi, Trichy District. (Cr.No.38 of 2022)
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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DR. D.NAGARJUN, J.

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