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Crl.O.P.(MD)No.13203 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.07.2023**

CORAM:

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

Crl.O.P.(MD) No.13203 of 2023

1.Amutha

2.Jeeva

... Petitioners / Accused Nos.1 and 2

Vs.

1.The Deputy Superintendent of Police,
Sub Division, Oddanchatram,
Dindigul District.

2.The Inspector of Police,
Oddanchatram Police Station,
Dindigul District.

(Crime N.329 of 2023)

..Respondents 1 & 2/ Complainants

3.Muthulakshmi

..3rd Respondent / *Defacto* Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Special Court for Trial of SC/ST (Prevention of Atrocities) Act Cases, Dindigul, to consider and dispose of the bail application of the petitioners in Crime No.329 of 2023 on the file of the second respondent on the same day of their surrender.

For Petitioners

: Mr.S.Kishore Kumar

For R1 and R2

: Mr.B.Thanga Aravindh

Government Advocate Crl.Side)



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ORDER

This Criminal Original Petition is filed seeking for a direction to the learned Special Judge for Trial of SC/ST (Prevention of Atrocities) Act Cases, Dindigul, to consider and dispose of the bail application of the petitioners in Crime No.329 of 2023 on the file of the second respondent on the same day of their surrender.

2. It is submitted by the learned counsel for the petitioners that the petitioners are Accused Nos.1 and 2 in Crime No.329 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 294(b), 323, 427 and 506 (i) of IPC r/w Sections 3 (1) (r), 3 (1) (s) and 3 (2) (va) of the SC/ST (Prevention of Atrocities) Act, 1989 and 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.329 of 2023 on the file of the second respondent.

3. Learned Government Advocate (Criminal Side) on the other hand submits that there is no injury sustained by the *defacto* complainant.



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4. Considering the circumstances, the petitioners are at liberty to surrender before the learned Special Judge for Trial of SC/ST (Prevention of Atrocities) Act Cases, Dindigul, 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 possibly on the very same day, it 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

24.07.2023



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DR.D.NAGARJUN. J.

tsg

To

1. The Special Court for Trial of SC/ST
(Prevention of Atrocities) Act Cases, Dindigul.
2. The Deputy Superintendent of Police,
Sub Division, Oddanchatram,
Dindigul District.
3. The Inspector of Police,
Oddanchatram Police Station,
Dindigul District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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