



*CrI.O.P.(MD)No.13372 of 2023*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **26.07.2023**

CORAM:

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

**CrI.O.P.(MD) No.13372 of 2023**

1.Sivanandam

2.Karthik @ Karthikeyan

3.Bharathiraja

... Petitioners

Vs.

1.The Deputy Superintendent of Police,  
Office of the Deputy Superintendent of Police,  
Vallam Sub Division,  
Thanjavur District.

2.The Inspector of Police,  
Vallam Police Station,  
Thanjavur District.  
Crime No.321 of 2023.

3.Palanisamy

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to accept the surrender of the petitioner before the Special Court for SC/ST (Prevention of Atrocities) Act (i.e.,) the 1<sup>st</sup> Additional District and Sessions Judge at Thanjavur in connection with Crime No.321 of 2023 on the file of the second respondent Police and to consider the bail



application filed by the petitioners on the same day.

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For Petitioner : Mr.K.M.Karunakaran  
For R1 and R2 : Mr.B.Thanga Aravindh  
Government Advocate (Crl.Side)

### **ORDER**

This Criminal Original Petition is filed seeking for a direction to the learned Special Judge for SC/ST (Prevention of Atrocities) Act (i.e.,) the 1<sup>st</sup> Additional District and Sessions Judge at Thanjavur, to consider the bail application of the petitioners on the same day on merits in Crime No.321 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.1 to 3 in Crime No.321 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 294(b), 352 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 SC/ST (Prevention of Atrocities) Act (i.e.,) the



1<sup>st</sup> Additional District and Sessions Judge at Thanjavur, and sought for a direction to dispose of the bail application on the very same day in Crime No.321 of 2023 on the file of the second respondent.

4.The learned Government Advocate (criminal side) appearing for the official respondent submits that no previous case is pending against the petitioners and the injured was discharged from the hospital on 11.07.2023.

5.Considering the circumstances, the petitioners are at liberty to surrender before the learned Special Judge for SC/ST (Prevention of Atrocities) Act (i.e.,) the 1<sup>st</sup> Additional District and Sessions Judge at Thanjavur, 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.

6.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



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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

**26.07.2023**

To

- 1.The learned Special Judge for SC/ST (Prevention of Atrocities) Act (i.e.,) the 1<sup>st</sup> Additional District and Sessions Judge at Thanjavur,
- 2.The Deputy Superintendent of Police,  
Office of the Deputy Superintendent of Police,  
Vallam Sub Division,  
Thanjavur District.
- 3.The Inspector of Police,  
Vallam Police Station,  
Thanjavur District.
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.



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**DR.D.NAGARJUN. J.**

ssb

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**26.07.2023**