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Crl.O.P.(MD)No.13850 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.08.2023**

CORAM:

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

Crl.O.P.(MD) No.13850 of 2023

1.Mano Chandar

2.Krishnaprabhu

... Petitioners / Accused not known

Vs.

1.The Deputy Superintendent of Police,
Tenkasi, Tenkasi District.

2.The Inspector of Police,
Surandai Police Station,
Tenkasi District.
(Crime no.116 of 2023)

..Respondents 1 & 2 / Complainants

3.Mani

..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 Cases registered under SC/ST (POA) Act, 1989, Tirunelveli, to accept the surrender of the petitioner and consider their bail application on the same day in Crime No.116 of 2023 pending on the file of the second respondent.

For Petitioners
For R1 and R2

: Mr.KR.Bharathi kannan
: Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)



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ORDER

This Criminal Original Petition is filed seeking for a direction to the learned Special Court for Trial of Cases registered under SC/ST (POA) Act, 1989, Tirunelveli, to accept the surrender of the petitioners and consider their bail applications on the same day in Crime No.116 of 2023 pending on the file of the second respondent.

2. It is submitted by the learned counsel for the petitioners that the petitioners are accused in Crime No.116 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 147, 294(b), 342, 323, 324, 307, 427, 506 (ii), and 379 of I.P.C and 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 applications on the very same day in Crime No.116 of 2023 on the file of the second respondent.

3. Learned Government Advocate (Criminal Side) submits that there is no previous criminal history.



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4. Considering the circumstances, the petitioner is at liberty to surrender before the Special Court for Trial of Cases registered under SC/ST (POA) Act, 1989, Tirunelveli, 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.

5. It is needless to state that merely because this direction is given to dispose of the applications possibly on the very same day, it does not mean that the bail applications 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.

03.08.2023

Ncc : Yes / No
Index : Yes/No
Internet : Yes/No
tsg



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DR.D.NAGARJUN. J.

tsg

To

- 1.The Special Court for Trial of Cases registered
under SC/ST (POA) Act, 1989, Tirunelveli
- 2.The Deputy Superintendent of Police,
Tenkasi, Tenkasi District.
- 3.The Inspector of Police,
Surandai Police Station,
Tenkasi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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