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CrI.O.P.(MD)No.14130 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.08.2023**

CORAM:

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

CrI.O.P.(MD) No.14130 of 2023

1.Murugesan
2.Pandi @ Pandidurai
3.Arunpandi ... Petitioners / Accused Nos.1 to 3
Vs.

1.The Deputy Superintendent of Police,
Sivakasi, Virudhunagar District.
2.The Sub Inspector of Police,
M.Pudupatti Police Station,
Virudhunagar District.
(In Crime No.112 of 2023) ..Respondents 1 & 2/ Complainants
3.Sundarraaj ..3rd Respondent / *Defacto* Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Special Court for SC/ST Cases, (PCR Court), Virudhunagar District at Srivilliputhur to accept the surrender of the petitioners and consider their bail application on the same day in connection with Crime No.112 of 2023 on the file of the respondent Police.

For Petitioners : Mr.C.Jeyaprakash
For R1 and R2 : Mr.B.Thanga Aravindh
Government Advocate CrI.Side)



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ORDER

This Criminal Original Petition is filed seeking for a direction to the learned Special Judge for SC/ST Cases, (PCR Court), Virudhunagar District at Srivilliputhur, to accept the surrender of the petitioners and consider their bail applications on the same day in connection with Crime No.112 of 2023 on the file of the respondent Police.

2. It is submitted by the learned counsel for the petitioners that the petitioners are Accused Nos.1 to 3 in Crime No.112 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 147, 148, 294(b), 323, 324 and 506 (ii) 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.112 of 2023 on the file of the second respondent.

3. Learned Government Advocate (Criminal Side) on the other hand submits that there is no previous history.



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4. Considering the circumstances, the petitioners are at liberty to surrender before the learned Special Judge for SC/ST Cases, (PCR Court), Virudhunagar District at Srivilliputhur, 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.

6. Accordingly, this Criminal Original Petition stands disposed of.

09.08.2023

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



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DR.D.NAGARJUN. J.

tsg

To

- 1.The Special Judge for SC/ST Cases, (PCR Court),
Virudhunagar District at Srivilliputhur.
- 2.The Deputy Superintendent of Police,
Sivakasi, Virudhunagar District.
- 3.The Sub Inspector of Police,
M.Pudupatti Police Station,
Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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