



CrI.O.P.(MD)No.14158 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **09.08.2023**

CORAM:

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

CrI.O.P.(MD) No.14158 of 2023

1.Muthupandi

2.Deva

... Petitioners / Accused Nos.1 and 2

Vs.

1.State represented by its
The Deputy Superintendent of Police,
Thiruvadanai Sub Division,
Ramanathapuram District.

2.The Inspector of Police,
Thiruvadanai Police Station,
Ramanathapuram District.
(In Crime No.202 of 2023) ..Respondents 1 & 2/ Complainants

3.Moorthy ..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 (POA) Act Cases, Ramanathapuram, Ramanathapuram District, to consider the bail application of the petitioners / Accused to be filed in Crime No.202 of 2023 on the file of the second respondent Police and to accept their surrender on the same day on merits.



WEB COPY

Crl.O.P.(MD)No.14158 of 2023



For Petitioners : Mr.R.Balamuruganantham

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 (POA) Act Cases, Ramanathapuram, Ramanathapuram District, to consider the bail application of the petitioners / Accused Nos.1 and 2 in Crime No.202 of 2023, on the file of the second respondent Police and to accept their surrender on the same day.

2. It is submitted by the learned counsel for the petitioners that the petitioners are Accused Nos.1 and 2 in Crime No.202 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 147, 294(b), 323 and 324 of IPC r/w Sections 3 (1) (r) and 3 (1) (s) 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.202 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.

4. Considering the circumstances, the petitioners are at liberty to surrender before the learned Special Court for SC/ST (POA) Act Cases, Ramanathapuram, Ramanathapuram District 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 keeping in view of the fact that the injured in this case has received injury at his eyebrow and also on his left side of the shoulder, thereby, three sutures were laid on the victim / injured. The learned Special Judge is further 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.



WEB COPY



Crl.O.P.(MD)No.14158 of 2023

6. Accordingly, the Criminal Original Petition stands
allowed.

09.08.2023

Ncc : Yes /No

Index : Yes/No

Internet : Yes/No

tsg

To

1.The Special Court for SC/ST (POA) Act Cases,
Ramanathapuram, Ramanathapuram District.

2.The Deputy Superintendent of Police,
Thiruvadanai Sub Division,
Ramanathapuram District.

3.The Inspector of Police,
Thiruvadanai Police Station,
Ramanathapuram District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CrI.O.P.(MD)No.14158 of 2023

DR.D.NAGARJUN. J.

tsg

CrI.O.P.(MD)No.14158 of 2023

09.08.2023