



CrI.O.P.(MD) No.14616 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.08.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

CrI.O.P.(MD) No.14616 of 2023

1.S.Balamurugan

2.T.Ramanathan

... Petitioners

Vs.

1.State through the
Deputy Superintendent of Police,
Bodinaickanur Sub Division,
Theni District.

2.The Inspector of Police,
Bodinaickanur Police Station,
Theni District.
(Crime No.328/2023)

3.Mrs.Rajammal

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Special Court for exclusive trial of SC/ST Act Cases, Theni to consider the petitioners bail applications on the same day of surrender in Crime No.328 of 2023 dated 29.07.2023 on the file of the second respondent police.

For Petitioners : Mr.R.Anandharaj

For R1 and R2 :Mr.B.Thanga Aravindh
Government Advocate (CrI.side)



Crl.O.P.(MD) No.14616 of 2023

WEB COPY

ORDER

This Criminal Original Petition is filed seeking for a direction to the Special Court for exclusive trial of SC/ST Act Cases, Theni to consider the petitioners bail applications on the same day of surrender in Crime No.328 of 2023 dated 29.07.2023 on the file of the second respondent police.

2.It is submitted by the learned counsel appearing for the petitioner that the petitioners are the accused Nos.1 & 2 in Crime No.328 of 2023 on the file of the respondent No.2 police, which was registered for the offences under Sections 3(1) (r) and 3(1)(s) of the SC/ST (Prevention of Atrocities) Act, 1989, and that he intends 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.328 of 2023 on the file of the respondent No.2 police.

3.Learned Government Advocate (Criminal Side) on the other hand submits that no one has sustained injuries in this case and there is no previous case.

4.Considering the circumstances, the petitioner is at liberty to surrender before the Special Court for exclusive trial of SC/ST Act Cases, Theni, within a



Crl.O.P.(MD) No.14616 of 2023

period of 15 days from the date of receipt of a copy of this order. If the petitioner surrenders and files 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 as expeditiously as possibly on the very same day does not mean that the bail application shall be allowed. The learned Special Judge is required to hear both sides on merits and dispose of the same as per law. This Petition is disposed of, accordingly.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No
am

21.08.2023



Crl.O.P.(MD) No.14616 of 2023

WEB COPY

To

- 1.The Deputy Superintendent of Police,
Bodinaickanur Sub Division,
Theni District.
- 2.The Inspector of Police,
Bodinaickanur Police Station,
Theni District.
- 3.The Special Court for exclusive trial of SC/ST Act Cases,
Theni.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD) No.14616 of 2023

DR.D.NAGARJUN. J.

am

Crl.O.P.(MD)No.14616 of 2023

21.08.2023