



CrI.O.P.(MD)No.15004 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **28.08.2023**

CORAM:

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

CrI.O.P.(MD) No.15004 of 2023

1.Muthukumar
2.Senthilkumar
3.Somasundaram

... Petitioners

Vs.

1.The State represented by its
The Deputy Superintendent of Police,
Orathanadu Division,
Thanjavur District.
(Crime No.535 of 2023)

2.The Inspector of Police,
Thiruvonam Police Station,
Thanjavur District.
(Crime No.535 of 2023)

3.Manuneethi Cholan

.. Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Special Court PCR Cases, Thanjavur, to consider the bail application of the petitioners / Accused Nos.1 to 3 on the same day of their surrender in Crime No.535 of 2023 on the file of the first respondent.

For Petitioners	: Mr.K.R.Manimaran
For R1 and R2	: Mr.B.Thanga Aravindh
	Government Advocate (Criminal Side)



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ORDER

This Criminal Original Petition is filed under Section 482 of Cr.P.C. seeking for a direction to the Special Court for PCR Cases, Thanjavur, to consider the bail application of the petitioners / Accused Nos.1 to 3 on the same day of their surrender in Crime No.535 of 2023 on the file of the respondent Police.

2. It is submitted by the learned counsel that the petitioners are accused Nos.1 to 3 in Crime No.535 of 2023 on the file of the respondent police, which was registered for the offences under Sections 294 (b) and 323 of IPC r/w 3 (1) (r), 3 (1) (s) and 3 (2) (va) of the Scheduled Caste and Scheduled Tribes (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.535 of 2023 on the file of the respondent Police.

3. Learned Government Advocate (Criminal Side) submits that there is no previous criminal history. He further submits that the injured discharged from the hospital.



4. Considering the circumstances, the petitioners are at liberty to surrender before the learned Special Judge, PCR Cases, 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.

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.

6. With the above direction, the Criminal Original Petition is disposed of.

Index : Yes/No
Internet : Yes/No
tsg

28.08.2023



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DR.D.NAGARJUN. J.

tsg

To

- 1.The Special Court
for PCR Cases, Thanjavur.
- 2.The Deputy Superintendent of Police,
Orathanadu Division,
Thanjavur District.
(Crime No.535 of 2023)
- 3.The Inspector of Police,
Thiruvonam Police Station,
Thanjavur District.
(Crime No.535 of 2023)
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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