



CrI.O.P.(MD) No.15430 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.08.2023**

CORAM:

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

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- 1.Ramalakshmi
- 2.Murugan @ A.K.Murugan
- 3.Maruthan @ Maduraiveeran
- 4.Velmurugan
- 5.Rajkumar
- 6.Palpandi
- 7.Pandi
- 8.Krishnan @ Gopala Krishnan
- 9.Aathilakshmi @ Adhilakshmi



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10.Sundaram

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Aruppukottai,
Virudhunagar District.

2.The Inspector of Police,
Arupukottai Taluk Police Station,
Aruppukottai,
Virudhunagar District.
(Crime No.137 of 2023)

3.Karupasamy

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to issue a direction directing the learned Special Judge for SC/ST (POA) Act Cases, Srivilliputhur to consider the bail application to be filed by the petitioners in Crime No.137 of 2023 pending investigation on the file of the first respondent on the same day of their surrender.

For Petitioners : Mr.D.Venkatachalam

For R1 & 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, Srivilliputhur, to consider the



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bail application of the petitioners on the same day on merits in Crime No.137 of 2023 on the file of the respondent No.2 police.

2.It is submitted by the learned counsel appearing for the petitioners that the petitioners are the accused Nos.1, 2, 4 to 6, 8 to 10, 12 and 17 in Crime No. 137 of 2023 on the file of the respondent No.2 police, which was registered for the offences under Sections 147, 148, 294(b), 324, 323, 427 and 3 IPC, Section 3 of Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992 and Section 3(1)(r), 3(1)(s) 3(2)(va) of the SC/ST (Prevention of Atrocities) Act, 1989, and 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.137 of 2023 on the file of the respondent No.2 police.

3.Learned Government Advocate (Criminal Side) on the other hand submits that the injured has been discharged from the hospital on 23.08.2023 and counter case is also registered.



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4.Considering the circumstances, the petitioners are at liberty to surrender before the learned Special Judge for SC/ST (POA) Act Cases, 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 application, the learned Special Judge is directed to dispose of the same keeping in view of the fact that grievous injuries have been received by the injured persons and deadly weapons were allegedly used and also the fact that counter case is registered 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

25.08.2023



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Note : Issue order copy on 28.08.2023

To

- 1.The Deputy Superintendent of Police,
Aruppukottai,
Virudhunagar District.
- 2.The Inspector of Police,
Arupukottai Taluk Police Station,
Aruppukottai,
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

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25.08.2023