



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 29.08.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

Crl.O.P.(MD) No.15490 of 2023

1.Siraj @ Sirajudeen

2.Kalil Rahman

... Petitioners

Vs.

1.The State represented by its
The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Paramakudi Circle,
Ramanathapuram District.

2.The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.
(Crime No.264 of 2023)

3.Murugeshbabu

.. Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Special Court for the Exclusive trial of SC/ST Cases at Ramanathapuram District to consider the bail application of the petitioners on the same day of their surrender itself in Crime No.264 of 2023 on the file of the second respondent Police.

For Petitioners : Mr.K.Yasar Arafath

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



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CrI.O.P.(MD)No.15490 of 2023



ORDER

This Criminal Original Petition is filed under Section 482 of Cr.P.C. seeking for a direction to the Special Court for the Exclusive trial of SC/ST Cases, Ramanathapuram District, to consider the bail application of the petitioners on the same day of their surrender itself in Crime No.264 of 2023 on the file of the second respondent Police.

2. It is submitted by the learned counsel that the petitioners are accused in Crime No.264 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 294 (b), 342, 324 and 506 (2) of IPC r/w 3 (1) (n) and 3 (1) (s) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 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.264 of 2023 on the file of the second respondent.

3. Learned Government Advocate (Criminal Side) submits that there is no previous criminal history. He further submits that the injured discharged from the hospital on 19.08.2023.



4. Considering the circumstances, the petitioners are at liberty to surrender before the learned Special Judge for the Exclusive trial of SC/ST Cases, 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 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

29.08.2023



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DR.D.NAGARJUN. J.

tsg

To

- 1.The Special Court
for the Exclusive trial of SC/ST Cases,
Ramanathapuram District
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Paramakudi Circle,
Ramanathapuram District.
- 3.The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.
(Crime No.264 of 2023)
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P.(MD)No.15490 of 2023

29.08.2023