



CrI.O.P.(MD) No.15579 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.09.2023**

CORAM:

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

CrI.O.P.(MD) No.15579 of 2023

1.Seduraman

2.Kannan

3.Shanmugam

4.Subramani

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Ponnamaravathi, Pudukottai District.

2.The Inspector of Police,
Panayapatti Police Station,
Pudukottai District.
(Cr.No.60 of 2023)

3.Ganapathy

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Special Judge/Court under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989 and the learned Special Court (PCR Act cases), Pudukottai, consider the bail application of the petitioners concerned



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in Cr.No.60 of 2023 on the file of the Inspector of Police, Panayapatti Police Station, Pudukottai District/the 2nd Respondent herein and pass orders in accordance with law on the same day on their surrender if any petition filed by the petitioners.

For Petitioners :Mr.E.Balasubramanian
For R1 and R2 :Mr.B.Thanga Aravindh
Government Advocate (crl.side)

ORDER

This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure seeking for a direction to the learned Special Judge/Court under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989 and the learned Special Court (PCR Act cases), Pudukottai, to consider the bail application of the petitioners on the same day on merits in Crime No.60 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 to 4 in Crime No.60 of 2023 on the file of the respondent No.2 police, which was registered for the offences under Section 447, 294(b), 506(ii) and 323 IPC and Sections 3(1)(g), 3(1)(r) and 3(2)(va) of the



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SC/ST (Prevention of Atrocities) Amendment Act, 2015 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.60 of 2023 on the file of the respondent No.2 police.

3.Learned Government Advocate (Criminal Side) on the other hand submits that there is no hospitalization.

4.Considering the circumstances, the petitioners are at liberty to surrender before the learned Special Judge/Court under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989 and the learned Special Court (PCR Act cases), Pudukottai, 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.



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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.

6.This Petition is disposed of, accordingly.

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

01.09.2023

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To

- 1.The Special Judge/Court under the Scheduled Castes and Scheduled Tribes(Prevention of Atrocities) Act 1989, Pudukottai.
- 2.The Deputy Superintendent of Police, Ponnamaravathi, Pudukottai District.
- 3.The Inspector of Police, Panayapatti Police Station, Pudukottai District.
- 4.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

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DR.D.NAGARJUN. J.

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