



CrI.O.P.(MD) No.15875 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.15875 of 2023

1.Rajapandian

2.R.Santhi

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Office of Deputy Superintendent of Police,
Usilampatti, Madurai District.

2.The State represented by
The Inspector of Police,
M.Kallupatti Police Station,
Madurai.
(in Cr.No.130 of 2023)

3.Sankeetha

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the III Additional District and Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, Madurai, to accept the surrender of the petitioners and consider the bail application and grant bail on the same date of surrender itself in connection with the case in Cr.N.130 of 2023

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WEB COPY registered on 07.08.2023 on the file of the 2nd Respondent Police.

For Petitioner :Mr.S.Bharathi
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 III Additional District and Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, Madurai, to consider the bail application of the petitioners on the same day on merits in Crime No.130 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 in Crime No.130 of 2023 on the file of the respondent No.2 police, which was registered for the offences under Section 294(b), 323, 506(i) and 355 IPC, Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the 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



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of the bail application on the very same day in Crime No.130 of 2023 on the file of the respondent No.2 police.

3.Learned Government Advocate (Criminal Side) on the other hand submits that the petitioners are having no previous case and the injured has been discharged from the hospital on 09.08.2023.

4.Considering the circumstances, the petitioners are at liberty to surrender before the learned III Additional District and Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, Madurai, 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 as expeditiously as possibly on the very same day does



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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 III Additional District and Sessions Judge,
(Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, Madurai.
- 2.The Deputy Superintendent of Police,
Office of Deputy Superintendent of Police,
Usilampatti, Madurai District.
- 3.The Inspector of Police,
M.Kallupatti Police Station,
Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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DR.D.NAGARJUN. J.

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