



CrI.O.P.(MD) No.15877 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.15877 of 2023

1.K.Muthuram @ Muthuraman

2.S.Siva @ Sivakalavasagam

3.K.Karuppasamy

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Srivaigundam, Thoothukudi District.

2.The Inspector of Police,
Eral Police Station,
Thoothukudi District.
(Cr.No.183 of 2023)

3.B.Seethadevi

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Thoothukudi to consider the petitioners bail application and dispose the bail application on the same day in Cr.No.183 of 2023 on the file of the 2nd respondent.



Crl.O.P.(MD) No.15877 of 2023

WEB COPY

For Petitioner :Mr.R.J.Karthick
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 Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Thoothukudi, to consider the bail application of the petitioners on the same day on merits in Crime No.183 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 3 in Crime No.183 of 2023 on the file of the respondent No.2 police, which was registered for the offences under Section 147, 148, 294(b), 506(2), 406, 417 and 420 IPC and Sections 3(1)(r), 3(1)(s), 3(1)(w)(i) and 3(1)(w)(ii) 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 of the bail application on the very same day in Crime No.183 of 2023 on the file of the respondent No.2 police.



Crl.O.P.(MD) No.15877 of 2023

WEB COPY

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 Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Thoothukudi, 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 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.



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Crl.O.P.(MD) No.15877 of 2023

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 Sessions Judge,
Special Court for Trial of Cases
under SC/ST (POA) Act, Thoothukudi.
- 2.The Deputy Superintendent of Police,
Srivaigundam, Thoothukudi District.
- 3.The Inspector of Police,
Eral Police Station,
Thoothukudi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD) No.15877 of 2023

DR.D.NAGARJUN. J.

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Crl.O.P.(MD)No.15877 of 2023

01.09.2023