



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **12.09.2023**

CORAM:

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

CrI.O.P.(MD) No.16183 of 2023

1.Mahesh @ Mageshkumar

2.Senthil @ Senthilkumar

3.Prasanth

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Palani Division,
Dindigul District.

2.The Inspector of Police,
Swaminathapuram Police Station,
Dindigul District.
Crime No.130 of 2023.

3.Panjalingam

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Special Court for trial of SC/ST Act Cases, Dindigul, to consider their bail application on the same day of their surrender in respect of Crime No.130 of 2023 on the file of the second respondent, pending investigation.



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Crl.O.P.(MD)No.16183 of 2023

For Petitioners : Mr.D.Venkatesh

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

ORDER

This Criminal Original Petition is filed seeking for a direction to the Special Court for trial of SC/ST Act Cases, Dindigul, 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 second respondent.

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 second respondent police, which was registered for the offences under Sections 294(b), 323, 506(1) IPC and Sections 3(1)(r) and 3(1)(s) and 3(2)(va) of the SC/ST (Prevention of Atrocities) Act, 1989. The learned counsel appearing for the petitioner further submits that insofar as the third petitioner is concerned, he was arrested by the Police and produced before the Court.

3.The petitioners 1 and 2 submit that they intend to surrender before the learned Special Judge for trial of SC/ST Act Cases, Dindigul,



and sought for a direction to dispose of the bail application on the very same day in Crime No.130 of 2023 on the file of the second respondent.

4.The learned Government Advocate (criminal side) appearing for the official respondents submits that the injured has been discharged from the hospital.

5.Considering the circumstances, the petitioners 1 and 2 are at liberty to surrender before the learned Special Judge for trial of SC/ST Act Cases, Dindigul, within a period of 15 days from the date of receipt of a copy of this order. If the petitioners 1 and 2 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.

6.It is needless to state that merely because this direction is given to dispose of the application as expeditiously as possible on the very same day, it 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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7. With the above directions, this Criminal Original Petition is disposed of.

Index : Yes/No
Internet : Yes/No
ssb

12.09.2023

Note: Issue order copy on **14.09.2023**.

To

- 1.The learned Special Judge for trial of SC/ST Act Cases, Dindigul,
- 2.The Deputy Superintendent of Police,
Palani Division,
Dindigul District.
- 3.The Inspector of Police,
Swaminathapuram Police Station,
Dindigul District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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DR.D.NAGARJUN. J.

ssb

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