



Crl.O.P.(MD) No.16629 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **15.09.2023**

CORAM:

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

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1.Veeranan @ Ramesh

2.Anitha

3.Vairamuthu

4.Priyadarshini

5.Pandian

6.Boomirajan

...Petitioners / Accused Nos.1 to 5 & 7

Vs.

1.The Deputy Superintendent of Police,
Theni, Theni District.

2.The Sub-Inspector of Police,
Veerapandi Police Station,
Veerapandi, Theni District.

... Respondents 1 & 2 / Complainants

3.Balamurugan

...3rd Respondent / Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Special Court for Trial Cases under SC / ST Act, Theni, to accept the surrender and consider the bail application to be filed by the petitioners on the same day on merits in Crime No.304 of 2023 on the file of the 2nd respondent.

For Petitioner : Mr.K.Guhan

For R1 & R2 : Mr.B.Thanga Aravindh

Government Advocate (Crl.Side)



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ORDER

This Criminal Original Petition is filed under Section 482 of Cr.P.C. seeking for a direction to the Special Court for Trial Cases under SC / ST Act, Theni to accept the surrender and consider the petitioners' bail application on the date of their surrender in connection with Crime No.304 of 2023 on the file of the 2nd respondent Police.

2.It is submitted by the learned counsel for the petitioners that the petitioners are Accused Nos.1 to 5 and 7 in Crime No.304 of 2023 on the file of the 2nd respondent police, which was registered for the offences under Sections 147, 148, 120B, 294(b), 447 and 506(2) IPC and Sections 3(1)(r), 3(1)(s), 3(1)(f) and 3(1)(g) of SC/ST (Prevention of Atrocities) Act, 1989. He further submitted that the petitioners intend to surrender before the Special Court for Trial Cases under SC / ST Act, Theni and hence, seek for a direction to dispose of the bail application on the very same day in Crime No.304 of 2023 on the file of the 2nd respondent Police.

3.The learned Government Advocate (Crl.Side) for the respondents submitted that the petitioners have no previous case.



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4.Considering the facts and circumstances, the petitioners are at liberty to surrender before the Special Court for Trial Cases under SC / ST Act, Theni 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 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 Special Court for Trial Cases under SC / ST Act, Theni, 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.

15.09.2023

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

Yuva



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DR.D.NAGARJUN. J.

Yuva

To

- 1.The Judge,
Special Court for Trial Cases under SC / ST Act, Theni.
- 2.The Deputy Superintendent of Police,
Theni, Theni District.
- 3.The Sub-Inspector of Police,
Veerapandi Police Station,
Veerapandi, Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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