



Crl.O.P.(MD) No.16968 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.09.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

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- 1.S.Jayachandran
- 2.L.Ayyadurai
- 3.J.Jegadish Chandraboss
- 4.J.Kathiravan
- 5.K.Balan
- 6.V.Rajagopi
- 7.A.Golden
- 8.A.Krishnakumar
- 9.S.Muthuraj
- 10.P.Naveen
- 11.S.Ramasankar
- 12.Lakshmanan
- 13.Krishna Vinith
- 14.R.Rama Krishna Moorthy

... Petitioners

Vs.

- 1.The Deputy Superintendent of Police,
O/o.Deputy Superintendent of Police,
Eral Police Station,
Thoothukudi District, Thoothukudi.



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2.The Inspector of Police,
Eral Police Station,
Thoothukudi District, Thoothukudi.
(in Cr.No.190 of 2023)

3.Rajesh

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Special Sessions Judge for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Thoothukudi, to accept the surrender of the petitioners/Accused No.2 to 14 to consider the petitioners' bail application and grant bail on the date of surrender itself in Cr.No.190 of 2023 dated 30.08.2023 on the file of Respondent No.2 Police.

For Petitioners :Mr.S.Rajasekar
For R1 and R2 :Mr.S.S.Madhavan
Government Advocate (Criminal)

ORDER

This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure seeking for a direction to the learned Special Sessions Judge for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Thoothukudi, to consider the bail application of the petitioners on the same day on merits in Crime No.190 of 2023 on the file of the respondent No.2 police.



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2.It is submitted by the learned counsel appearing for the petitioners that the petitioners are the accused Nos.2 to 14 in Crime No.190 of 2023 on the file of the respondent No.2 police, which was registered for the offences under Sections 147, 341, 323, 294(b) and 506(i) IPC and Sections 3(1)(r), 3(1)(s), 3(1)(za)(C) and 3(2)(va) of the SC/ST (Prevention of Atrocities) Act, 1989 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.190 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.

4.Considering the circumstances, the petitioners are at liberty to surrender before the learned Special Sessions Judge for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, 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



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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.

6.This Petition is disposed of, accordingly.

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

22.09.2023

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To

1.The Special Sessions Judge
for Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act, 1989, Thoothukudi.

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- 2.The Deputy Superintendent of Police,
O/o.Deputy Superintendent of Police,
Eral Police Station,
Thoothukudi District, Thoothukudi.
- 3.The Inspector of Police,
Eral Police Station,
Thoothukudi District, Thoothukudi.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

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