



CRL.O.P.(MD)No.17178 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 25.09.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

CRL.O.P.(MD)No.17178 of 2023

1.Pooranam

2.Chandrasekar

(Wrongly Name Mentioned in FIR)

... Petitioners

Vs

1.The Deputy Superintendent of Police,
Perayur Sub Division,
Madurai District.

2.The Inspector of Police
Sedappatty Police Station,
Madurai District.
(Crime No. 136 of 2023)

3.Muthupillai

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the Special court for SC/ST (POA) Act cases, Madurai, Madurai District, to consider the bail application of the petitioners / Accused to be filed in Crime No.136 of 2023 on the file of the second respondent police.

For Petitioners : Mr.R.Balamuruganantham

For R-1 & R-2 : Mr.B.Thanga Aravindh
Government Advocate (Crl. side)



CRL.O.P.(MD)No.17178 of 2023

ORDER

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This Criminal Original Petition is filed under Section 482 of Cr.P.C. seeking for a direction to the learned Special Judge for SC/ST (POA) Act cases, Madurai, Madurai District, to consider the bail application of the petitioners / Accused to be filed in Crime No.136 of 2023 on the file of the second respondent police.

2. It is submitted by the learned counsel for the petitioners that the petitioners are Accused Nos.1 and 2 in Crime No.136 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 294(b), 323 and 324 IPC r/w Sections 3 (1) (r), 3 (1) (s) and 3 (2) (va) of the SC / ST POA Act, 1989 and the petitioners submit that they intend to surrender before the learned Special Judge and sought for a direction to dispose of the bail applications on the very same day in Crime No.136 of 2023 on the file of the second respondent.

3. Learned Government Advocate (Criminal Side) on the other hand submits that the injured discharged from the Hospital on 12.09.2023. He further submits that there is no previous criminal history against the accused persons.



CRL.O.P.(MD)No.17178 of 2023

4. Considering the circumstances, the petitioners are at liberty to surrender before the learned Special Judge for SC/ST (POA) Act Cases, Madurai, Madurai District, within a period of 15 days from the date of receipt of a copy of this order. If the petitioners surrender and file bail applications, 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 applications possibly on the very same day, it does not mean that the bail applications shall be allowed. The learned Special Judge is directed to consider and dispose of the same on hearing both sides on the basis of merits and as per law.

6. Accordingly, this Criminal Original Petition stands disposed of.

25.09.2023

NCC:yes/no
Index:yes/no
Internet:yes/no

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CRL.O.P.(MD)No.17178 of 2023

DR.D.NAGARJUN, J.

tsg

To

- 1.The Special Court for SC/ST (POA) Act Cases,
Madurai, Madurai District.
- 2.The Deputy Superintendent of Police,
Perayur Sub Division,
Madurai District.
- 3.The Inspector of Police
Sedappatty Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CRL.O.P.(MD)No.17178 of 2023

25.09.2023