



CrI.O.P.(MD) No.17165 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.09.2023**

CORAM:

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

CrI.O.P.(MD)No.17165 of 2023

1.Devarajan @ Devaraj

2.Praveen @ Praveenkumar

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Orathanadu Sub Division,
Thanjavur District.

2.The Inspector of Police,
Thiruvonam Police Station,
Thanjavur District.
(in Cr.No.617 of 2023)

3.Kaviarasan

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to accept the surrender of the petitioners before the Special Court for S.C/S.T (Prevention of Atrocities) Act, ie., the 1st Additional District and Sessions Judge at Thanjavur in connection with the Cr.No.617 of 2023 on the file of the 2nd respondent police and to consider the bail application filed by the petitioners on

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WEB COPY the same day.

For Petitioners :Mr.K.M.Karunakaran
For R1 and R2 :Mr.B.Thanga Aravindh
Government Advocate (Criminal.side)

ORDER

This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure seeking for a direction to the Special Court for S.C/S.T (Prevention of Atrocities) Act, ie., the 1st Additional District and Sessions Judge at Thanjavur, to consider the bail application of the petitioners on the same day on merits in Crime No.617 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.3 and 4 in Crime No.617 of 2023 on the file of the respondent No.2 police, which was registered for the offences under Section 294(b), 352 and 506(i) IPC and Sections 3(1)(r), 3(1)(s) 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.617 of 2023 on the file of the respondent No.2 police.



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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 Special Court for S.C/S.T (Prevention of Atrocities) Act, ie., the 1st Additional District and Sessions Judge at Thanjavur, 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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WEB COPY 6.This Petition is disposed of, accordingly.

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

26.09.2023

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To

- 1.The Special Court for S.C/S.T (Prevention of Atrocities) Act,
/ the 1st Additional District and Sessions Judge at Thanjavur.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Orathanadu Sub Division,
Thanjavur District.
- 3.The Inspector of Police,
Thiruvonam Police Station,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

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