



CrI.O.P.(MD) No.17283 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

CrI.O.P.(MD) No.17283 of 2023

- 1.Rajapandi
- 2.Pandidurai
- 3.Ravi
- 4.Alagudurai

... Petitioners / Accused Nos.2 to 4 & 6
Vs.

- 1.The Deputy Superintendent of police
Nilakottai, Dindigul District.
- 2.The Inspector of Police,
Batlagundu Police Station,
Dindigul District.
(Crime No.341 of 2023)

- 3.Diwan

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Sessions Judge, Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, 1989, Dindigul, to consider the petitioners' bail application on the same day of their surrender in Crime No.341 of 2023 on the file of the respondent Police.



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For Petitioners

: Mr.S.Muniyandi

For R1 & R-2

: Mr.B.Thanga Aravindh,
Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition is filed under Section 482 of Cr.P.C. seeking for a direction to the learned Sessions Judge, Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, 1989, Dindigul, to consider the petitioners' bail application on the same day of their surrender in Crime No.341 of 2023 on the file of the respondent Police.

2. It is submitted by the learned counsel for the petitioners that the petitioners are Accused Nos.2 to 4 and 6 in Crime No.341 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 147, 148, 294(b), 323, 324, 336, 427 and 506 (2) IPC, Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 and Sections 3 (1) (r), 3 (1) (s) and 3(2)(va) of the SC/ST (Prevention of Atrocities Act), 1989 and the petitioners submit that they intend to surrender before the learned Sessions Judge and sought for a direction to dispose of the bail application on the very same day in Crime No.341 of 2023 on the file of the second respondent.



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3. Learned Government Advocate (Criminal Side) on the other hand submits that Accused No.2 / Petitioner No.1 is having one previous case and he further submits that there is no previous criminal history against Accused Nos.3, 4 and 6 / Petitioner Nos.2, 3 and 4.

4. Considering the submissions made by both sides, this petition is dismissed as against the petitioner No.1/A2 and allowed in respect of the petitioner Nos.2, 3 and 4 / A3, 4 and 6. The petitioner Nos.2, 3 and 4 are at liberty to surrender before the learned Sessions Judge, Special Court of Exclusive Trial of Cases under SC/ST (POA) Act, 1989, Dindigul, within a period of 15 days from the date of receipt of a copy of this order. If the petitioner Nos.2, 3 and 4 surrender and file bail application, the learned Sessions 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



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the bail applications shall be allowed. The learned Sessions 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.

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

27.09.2023

tsg

To

- 1.The Sessions Judge, Special Court,
Exclusive trial of Cases under SC/ST (POA) Act, 1989,
Dindigul.
- 2.The Deputy Superintendent of police
Nilakottai, Dindigul District.
- 3.The Inspector of Police,
Batlagundu Police Station,
Dindigul 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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