



Crl.O.P.(MD)No.11961 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **03.07.2023**

CORAM:

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

Crl.O.P.(MD)No.11961 of 2023

Kishore @ Kishore Akash

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
O/o. the Deputy Superintendent of Police,
Periyakulam Sub Division,
Periyakulam,
Theni District.

2.The State
represented through the Inspector of Police,
Devadanapatti Police Station,
Theni District.
(Crime No.179 of 2023)

3.Balakrishnan

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Special Court for the Exclusive Trial of SC and ST Act Cases, Theni to consider the bail application of the petitioner on the same day on merits in Crime No.179 of 2023 on the file of the second respondent police station.

For Petitioner
For R1 and R2

: Mr.A.Abdul Kabur
: Mr.S.S.Madhavan
Government Advocate Crl.Side)



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ORDER

This Criminal Original Petition is filed seeking for a direction to the learned Special Court for the Exclusive Trial of SC and ST Act Cases, Theni to consider the bail application of the petitioner on the same day on merits in Crime No.179 of 2023 on the file of the second respondent.

2.It is submitted by the learned counsel appearing for the petitioner that the petitioner is an accused No.1 in Crime No.179 of 2023 on the file of the second respondent police, which is registered for the offences under Sections 294(b), 323 and 506(1) IPC and 3(1)(r), 3(1)(s) and 3(2) (va) of the SC/ST (Prevention of Atrocities) Act, 1989.

3.The petitioner submits that he intends 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.179 of 2023 on the file of the second respondent.

4.Considering the circumstances, the petitioner is at liberty to surrender before the learned Special Judge for the Exclusive Trial of SC and ST Act Cases, Theni within a period of 15 days from the date of



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receipt of a copy of this order. If the petitioner surrenders and files 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. It is needless to state that merely because this direction is given to dispose of the application possibly on the very same day does not mean that the bail application 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.

Index : Yes/No
Internet : Yes/No
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03.07.2023

To

- 1.The Special Judge,
Special Court for the Exclusive Trial of SC and ST Act Cases,
Theni.
- 2.The Deputy Superintendent of Police,
O/o. the Deputy Superintendent of Police,
Periyakulam Sub Division,
Periyakulam,
Theni District.
- 3.The Inspector of Police,
Devadanapatti Police Station,
Theni District



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4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

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