



WEB COPY

Crl.O.P.(MD)No.12042 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.07.2023**

CORAM:

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

Crl.O.P.(MD) No.12042 of 2023

Sankarapandi

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Nanguneri,
Tirunelveli District.

2.State
represented the Inspector of Police,
Moolakaraipatty Police Station,
Tirunelveli District.
(Crime No.102 of 2023)

3.Selvi

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Special Court for offence under (SC&ST) POA Amendment Act Cases (PCR Court), at Tirunelveli, to accept the surrender of the petitioner and consider his bail application on the same day on merit relating to Crime No.102 of 2023 dated 26.06.2023.

For Petitioner	: Mr.V.Maharajan
For R1 and R2	: Mr.SS.Madhavan
	Government Advocate Crl.Side)



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ORDER

This Criminal Original Petition is filed seeking for a direction to the Special Court for the offences under (SC and ST) POA Amendment Act Cases, (PCR Court), Tirunelveli to consider the bail application of the petitioner on the same day on merits in Crime No.102 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.102 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 294(b), 352 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.102 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 offences under (SC



and ST) POA Amendment Act Cases, (PCR Court), Tirunelveli within a period of 15 days from the date of 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 for offence under
(SC&ST) POA Amendment Act Cases
(PCR Court), at Tirunelveli.
- 2.The Deputy Superintendent of Police,
Nanguneri,
Tirunelveli District.
- 3.The Inspector of Police,
Moolakaraipatty Police Station,
Tirunelveli 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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