



CrI.O.P.(MD)No.12325 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **10.07.2023**

CORAM:

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

CrI.O.P.(MD) No.12325 of 2023

Ajith @ Ajithkumar

... Petitioner

Vs.

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

2.State through
The Inspector of Police,
Kalaiyarkovil Police station,
Sivagangai District.
(In Crime No.238 of 2023)

3.Rajeshkannan

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Special Court for the exclusive trial for SC and ST cases, Sivagangai to consider the bail application filed by the petitioner and pass order in the bail application on the same date of their surrender in Crime No.238 of 2023 on the file of the Respondent No.2 in accordance with law.

For Petitioner	: Mr.S.Ramesh Kumar
For R1 and R2	: Mr.B.Thanga Aravindh
	Government Advocate CrI.Side)



ORDER

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This Criminal Original Petition is filed seeking for a direction to the Special Court for the Exclusive Trial for SC and ST Cases, Sivagangai, to consider the bail application of the petitioner on the same day on merits in Crime No.238 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.238 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 294(b), 341, 323 and 506(i) of IPC and Section 3(1)(r), 3(1)(s) of the Schedule Castes and Schedule Tribe (Prevention of Atrocities) Amendment Act, 2015.

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.238 of 2023 on the file of the second respondent.

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



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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.

10.07.2023

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

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To

- 1.The Special Court for the Exclusive Trial for SC and ST Cases,
Sivagangai.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Sivagangai Sub Division, Sivagangai District.
- 3.The Inspector of Police, Kalaiyarkovil Police station,
Sivagangai District. (In Crime No.238 of 2023)
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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DR.D.NAGARJUN. J.

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