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Crl.O.P.(MD)No.12831 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **18.07.2023**

CORAM:

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

Crl.O.P.(MD) No.12831 of 2023

Selvi

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Orathanadu,
Thanjavur District.

2.The Inspector of Police,
Thiruvonam Police Station,
Thanjavur District.
(Crime No.266 of 2023)

3.Selvam

..Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Additional District and Sessions Judge, Special Court for SC/ST (POA) Act, Thanjavur to consider the bail application on merits on the date of surrender on the same day in Crime No.266 of 2023 on the file of the 2nd respondent police.

For Petitioner : Mr.R.Alagia Nambi

For R1 and R2 : 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 Additional District and Sessions Judge, Special Court for SC/ST (POA) Act, Thanjavur to consider the bail application of the petitioner on the same day on merits in Crime No.266 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.3 in Crime No.266 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 294(b) and 352 IPC and 3(1)(r), 3(1)(s) and 3(2)(va) of the SC/ST (Prevention of Atrocities) Act, 1989 and that she 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.266 of 2023 on the file of the second respondent.

3.Considering the circumstances, the petitioner is at liberty to surrender before the learned Additional District and Sessions Judge, Special Court for SC/ST (POA) Act, Thanjavur, 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.

4.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. This petition is disposed of, accordingly.

Index : Yes/No
Internet : Yes/No
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18.07.2023

To

- 1.The Additional District and Sessions Judge,
Special Court for SC/ST (POA) Act,
Thanjavur.
- 2.The Deputy Superintendent of Police,
Orathanadu,
Thanjavur District.
- 3.The Inspector of Police,
Thiruvonam Police Station,
Thanjavur 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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