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Crl.O.P.(MD)No.13999 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.08.2023**

CORAM:

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

Crl.O.P.(MD) No.13999 of 2023

Pasupathi

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Dindigul Sub Division,
Dindigul.

2.The Inspector of Police,
Natham Police Station,
Natham,
Dindigul District.

3.Karuppaiya

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Sessions Judge, Special Court for Exclusive Trial of SC and ST Cases, Dindigul District to consider the bail application for the petitioner on the same day in the event of surrender by the petitioner and seek bail in Crime No.268 of 2023 on the file of the respondents Police.



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For Petitioner : Mr.S.Arjun
For R1 and R2 : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition is filed seeking for a direction to the learned Sessions Judge, Special Court for Exclusive Trial of SC and ST Cases, Dindigul District, to consider the bail application of the petitioner on the same day on merits in Crime No.268 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 one of the accused in Crime No.268 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 147, 294(b), 323 and 506(1) IPC and Sections 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 Sessions Judge, Special Court for Exclusive Trial of SC and ST Cases, Dindigul District, and sought for a direction to dispose of the bail



application on the very same day in Crime No.268 of 2023 on the file of the second respondent.

4.The learned Government Advocate (criminal side) appearing for the official respondents submits that no previous case is pending against the petitioner and the injured has sustained simple injury.

5.Considering the circumstances, the petitioner is at liberty to surrender before the learned Sessions Judge, Special Court for Exclusive Trial of SC and ST Cases, Dindigul District, 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 Sessions Judge, Special Court for Exclusive Trial of SC and ST Cases, Dindigul District, 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.

6.It is needless to state that merely because this direction is given to dispose of the application as expeditiously as possible on the very same day does not mean that the bail application shall be allowed. The learned Sessions Judge, Special Court for Exclusive Trial of SC and ST



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Cases, Dindigul District, is required to hear both sides on merits and dispose of the same as per law.

7. With the above directions, this Criminal Original Petition is disposed of.

Index : Yes/No
Internet : Yes/No
ssb

08.08.2023

To

1.The learned Sessions Judge, Special Court for Exclusive Trial of SC and ST Cases, Dindigul District.

2.The Deputy Superintendent of Police,
Dindigul Sub Division,
Dindigul.

3.The Inspector of Police,
Natham Police Station,
Natham,
Dindigul District.

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



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DR.D.NAGARJUN. J.

ssb

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