



CrI.O.P.(MD) No.14370 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.08.2023

CORAM:

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

CrI.O.P.(MD) No.14370 of 2023

N.Sibiraj

... Petitioner

Vs.

1.State through its
Superintendent of Police,
Vadakarai Police Station,
Periyakulam Taluk, Theni District.

2.The Inspector of Police,
Vadakarai Police Station,
Periyakulam, Theni District.
In Crime No.233 of 2023

3.S.Vishnuvarthan

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Special Court for Trial of SC & ST Act Cases to accept bail application and consider it on same day in Cr.No.233 of 2023 on the file of the respondent Police.

For Petitioner	: Mr.B.Chandran
For R1 and R2	:Mr.B.Thanga Aravindh
	Government Advocate (CrI.side)



Crl.O.P.(MD) No.14370 of 2023

WEB COPY

ORDER

This Criminal Original Petition is filed seeking for a direction to the Special Court for Trial of SC & ST Act Cases, Theni to consider the bail application of the petitioner on the same day on merits in Crime No.233 of 2023 on the file of the respondent No.2 police.

2.It is submitted by the learned counsel appearing for the petitioner that the petitioner is the sole accused in Crime No.233 of 2023 on the file of the respondent No.2 police, which was registered for the offences under Sections 294(b), 324 and 506(2) IPC and Section 3(1)(r), 3(1)(s) 3(2)(va) of the SC/ST (Prevention of Atrocities) Act, 1989, and 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.233 of 2023 on the file of the respondent No.2 police.

3.Learned Government Advocate (Criminal Side) on the other hand submits that the injured has been discharged from the hospital and the accused is having 4 previous cases.



Crl.O.P.(MD) No.14370 of 2023

WEB COPY

4.Considering the circumstances, the petitioner is at liberty to surrender before the Special Court for Trial of SC & ST Act Cases, Theni 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.

5.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.

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

11.08.2023

mm

3/5



Crl.O.P.(MD) No.14370 of 2023

WEB COPY

To

- 1.The Superintendent of Police,
Vadakarai Police Station,
Periyakulam Taluk, Theni District.
- 2.The Inspector of Police,
Vadakarai Police Station,
Periyakulam Taluk, Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD) No.14370 of 2023

DR.D.NAGARJUN. J.

mm

Crl.O.P.(MD)No.14370 of 2023

11.08.2023