



CrI.O.P.(MD) No.14602 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.08.2023**

CORAM:

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

CrI.O.P.(MD) No.14602 of 2023

Surya

... Petitioner

Vs.

1.State Rep. by
The Deputy Superintendent of Police,
Vedasandur,
Dindigul District.

2.The Inspector of Police,
Vadamadurai Police Station,
Dindigul District.
(Crime No.253 of 2023)

3.Sekar

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Sessions Judge, Special Court at Trial Cases and SC/ST (POA) Act, Dindigul to accept his surrender and to consider his bail application in Crime No.253 of 2023, on the file of the second respondent police to be filed by the petitioner on the same day on merits.



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For Petitioner : Mr.M.Karunanithi

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 at Trial Cases and SC/St (POA) Act, Dindigul to accept his surrender and to consider his bail application in Crime No. 253 of 2023, on the file of the second respondent police to be filed by the petitioner on the same day on merits.

2.It is submitted by the learned counsel appearing for the petitioner that the petitioner is the accused No.1 in Crime No.253 of 2023 on the file of the respondent No.2 police, which was registered for the offences under Sections 294(b), 323, 324 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.253 of 2023 on the file of the respondent No.2 police.



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3.Learned Government Advocate (Criminal Side) on the other hand submits that the petitioner involved in two previous case and of which, one of them is for an offence under Section 307 IPC. It is also submitted that there are no previous case pertaining to the commissioner of SC/ST offence and the injured has been discharged from the hospital.

4.Considering the circumstances, the petitioner is at liberty to surrender before the Sessions Judge, Special Court at Trial Cases and SC/St (POA) Act, Dindigul, 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



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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

21.08.2023

am

To

- 1.The Deputy Superintendent of Police,
Vedasandur,
Dindigul District.
- 2.The Inspector of Police,
Vadamadurai Police Station,
Dindigul District.
- 3.The Sessions Judge,
Special Court at Trial Cases and SC/ST (POA) Act, Dindigul.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

am

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