



CrI.O.P.(MD) No.14645 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.08.2023**

CORAM:

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

CrI.O.P.(MD) No.14645 of 2023

Nagaraj @ Vallarasu

... Petitioner

Vs.

State represented by its

1.The Deputy Superintendent of Police,
Usilampatti, Madurai District.

2.The Inspector of Police,
M.Kallupatti Police Station,
Usilampatti Taluk, Madurai.
(Cr.No.120/2023)

3.M.Ramar

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Sessions Judge Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act Cases, Madurai to consider the bail application on his surrender on the same day, if any petition filed by the petitioner in Cr.No.120/2023 on the file of the 2nd respondent.



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For Petitioner :Mr.S.Sivaprakash
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 Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act Cases, Madurai, to consider the bail application of the petitioner on the same day on merits in Crime No.120 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 accused in Crime No.120 of 2023 on the file of the respondent No.2 police, which was registered for the offences under Sections 147, 294(b), 323 and 324 IPC and Section 4 of TNPWH Act 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.120 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 injured has been discharged from the hospital on 03.08.2023 and no previous case is pending against the accused.

4.Considering the circumstances, the petitioner is at liberty to surrender before the learned Sessions Judge Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act Cases, Madurai, 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.



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6.This Petition is disposed of, accordingly.

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

22.08.2023

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To

- 1.The Sessions Judge,
Special Court for Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act Cases, Madurai.
- 2.The Deputy Superintendent of Police,
Usilampatti, Madurai District.
- 3.The Inspector of Police,
M.Kallupatti Police Station,
Usilampatti Taluk, Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

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