



CrI.O.P.(MD) No.15075 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.15075 of 2023

Mahalakshmi

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Virudhunagar,
Virudhunagar District.

2.The Sub-Inspector of Police,
Virudhunagar East Police Station,
Virudhunagar District.
(Cr.No.147 of 2023)

3.Marimuthu

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Principal District & Sessions Court, Virudhunagar District at Srivilliputhur (Special Court for SC/ST Act Cases) to accept the surrender of the petitioner and consider her bail application on the same day on merits in relating to Crime No.147 of 2023, on the file of the second respondent police.

For Petitioner : Mr.M.Jothibasu

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



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ORDER

This Criminal Original Petition is filed seeking for a direction to the learned Principal District & Sessions Court, Virudhunagar District at Srivilliputhur (Special Court for SC/ST Act Cases) to accept the surrender of the petitioner and consider her bail application on the same day on merits in relating to Crime No.147 of 2023, on the file of the second respondent police.

2.It is submitted by the learned counsel appearing for the petitioner that the petitioner is the sole accused in Crime No.147 of 2023 on the file of the respondent No.2 police, which was registered for the offences under Sections 294(b), 324 IPC and Section 3(1)(r), 3(1)(s) and 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.147 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 in this case has been discharged from the hospital and there is no previous case.



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4.Considering the circumstances, the petitioner is at liberty to surrender before the Principal District & Sessions Court, Virudhunagar District at Srivilliputhur (Special Court for SC/ST Act Cases), 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
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To

- 1.The Deputy Superintendent of Police,
Virudhunagar,
Virudhunagar District.
- 2.The Sub-Inspector of Police,
Virudhunagar East Police Station,
Virudhunagar District.
- 3.The Principal District & Sessions Court,
Virudhunagar District at Srivilliputhur
(Special Court for SC/ST Act Cases)
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

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