



Crl.O.P.(MD) No.15357 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 31.08.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

Crl.O.P.(MD) No.15357 of 2023

Thiruppathi

...Petitioner

Vs.

1.The Deputy Superintendent of Police,
Manamadurai Sub Division,
Sivagangai District.

2.The Sub Inspector of Police,
Manamadurai Police Station,
Sivagangai District.

3.Pazhanivel Pandiyan

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Special Court for the exclusive Trial of PCR Act Cases, Sivagangai District to accept the petitioner's surrender in connection with Crime No.321 of 2023, on the file of the second respondent and consider their bail application on the same day in accordance with law.

For Petitioner : Mr.R.Saravanan Kumar
For R1 & R2 : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)



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Crl.O.P.(MD) No.15357 of 2023

ORDER

This Criminal Original Petition is filed under Section 482 of Cr.P.C. seeking for a direction to the learned Special Court for the exclusive Trial of PCR Act Cases, Sivagangai District, to consider the petitioner's bail application on the date of his surrender in connection with Crime No.321 of 2023 on the file of the second respondent Police.

2. It is submitted by the learned counsel that the petitioner is the sole accused in Crime No.321 of 2023 on the file of the second respondent police, which was registered for the offences under Section 294(b) & 506(1) of IPC r/w Sections 3 (1) (r) and 3 (1) (s) of SC/ST (Prevention of Atrocities) Act, 1989 and the petitioner submits 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.321 of 2023 on the file of the second respondent.

3. Learned Government Advocate (Criminal Side) submits that there is no previous criminal history.



Crl.O.P.(MD) No.15357 of 2023

4. Considering the circumstances, the petitioner is at liberty to surrender before the learned Special Judge for the exclusive Trial of PCR Act Cases, Sivagangai 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 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 possibly on the very same day, it does not mean that the bail application shall be allowed. The learned Special Judge is directed to consider and dispose of the same on hearing both sides on the basis of merits and as per law.

6. With the above direction, the Criminal Original Petition is disposed of.

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

31.08.2023



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Crl.O.P.(MD) No.15357 of 2023

DR.D.NAGARJUN. J.

tsg

To

- 1.The Special Court for the exclusive Trial of PCR Act Cases,
Sivagangai District
- 2.The Deputy Superintendent of Police,
Manamadurai Sub Division,
Sivagangai District.
- 3.The Sub Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD)No.15357 of 2023

31.08.2023