



*Crl.O.P.(MD) No.15429 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.15429 of 2023**

Gomathinayagam

...Petitioner

Vs.

1.The State rep by  
The Deputy Superintendent of Police,  
Sankarankovil,  
Sankarankovil Taluk,  
Tenkasi District.

2.The Inspector of Police,  
Sankarankovil Town Police Station,  
Sankarankovil, Tenkasi District.  
(Crime No.271 of 2023)

3.Marimuthu

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the II Additional District and Sessions Judge/Special Court for Trial of Cases under SC/ST (Prevention of Atrocities) Act, Tirunelveli to consider the petitioner's bail application and dispose the same on the same day, if the petitioner surrenders before the II Additional District & Sessions Judge/Special Court for Trial of Cases under SC/ST (Prevention of Atrocities) Act, Tirunelveli for the case registered in Crime No.271 of 2023 on the file of the second respondent, dated 18.07.2023.



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For Petitioner : Mr.P.Santhana Krishnan  
For R1 & R2 : Mr.B.Thanga Aravindh  
Government Advocate (Crl.Side)

### **ORDER**

This Criminal Original Petition is filed under Section 482 of Cr.P.C. seeking for a direction to the learned II Additional District and Sessions Judge/Special Court for Trial of Cases under SC/ST (Prevention of Atrocities) Act, Tirunelveli, to consider the petitioner's bail application on the date of his surrender in connection with Crime No.271 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.271 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 294(b) & 506(i) of IPC r/w Sections 3 (1) (r) and 3 (1) (s) of SC/ST (Prevention of Atrocities) Amendment Act, 2015 and the petitioner submits that he intends to surrender before the learned II Additional District and Sessions Judge and sought for a direction to dispose of the bail application on the very same day in Crime No.271 of 2023 on the file of the second respondent.



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

4. Considering the circumstances, the petitioner is at liberty to surrender before the learned II Additional District and Sessions Judge/Special Court for Trial of Cases under SC/ST (Prevention of Atrocities) Act, Tirunelveli, 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 II Additional District and Sessions 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 II Additional District and Sessions Judge is directed to consider and dispose of the same on hearing both sides on the basis of merits and as per law.



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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**

To

- 1.The II Additional District and Sessions Judge/  
Special Court for Trial of Cases under SC/ST  
(Prevention of Atrocities) Act, Tirunelveli
- 2.The Deputy Superintendent of Police,  
Sankarankovil,  
Sankarankovil Taluk,  
Tenkasi District.
- 3.The Inspector of Police,  
Sankarankovil Town Police Station,  
Sankarankovil, Tenkasi District.
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**DR.D.NAGARJUN. J.**

tsg

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