



CrI.O.P.(MD) No.15494 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.09.2023**

CORAM:

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

CrI.O.P.(MD) No.15494 of 2023

Vinoth @ Vinoth Kumar

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Periyakulam, Theni District.

2.The Inspector of Police,
Devadanapatti Police Station,
Theni District.
(Cr.No.289 of 2023)

3.Sathish Kumar

4.Prathap

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, directing the Special Court for Trial of SC/ST Act Cases, Theni District to consider the petitioner's bail application on the same day of his surrender in Cr.No.289 of 2023 on the file of the 2nd respondent.

For Petitioner	:Mr.P.Mani Anandh
For R1 and R2	:Mr.B.Thanga Aravindh
	Government Advocate (crl.side)



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ORDER

This Criminal Original Petition is filed seeking for a direction to the Special Court for Trial of SC/ST Act Cases, Theni District, to consider the bail application of the petitioner on the same day on merits in Crime No.289 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 No.1 in Crime No.289 of 2023 on the file of the respondent No.2 police, which was registered for the offences under Sections 147, 323 and 506 (I) 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.289 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 has been discharged from the hospital on 20.08.2023.



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4.Considering the circumstances, the petitioner is at liberty to surrender before the Special Court for Trial of SC/ST Act Cases, Theni 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 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.

6.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 Special Court for Trial of SC/ST Act Cases,
Theni District
- 2.The Deputy Superintendent of Police,
Periyakulam, Theni District.
- 3.The Inspector of Police,
Devadanapatti Police Station,
Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

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