



Crl.O.P.(MD) No.16135 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **11.09.2023**

CORAM:

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

Crl.O.P.(MD) No.16135 of 2023

Siva

...Petitioner

Vs.

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

2.The State represented by
the Inspector of Police,
Rajapalayam South Police Station,
Virudhunagar District.
(In Crime No.318 of 2023)

3.Ramkumar

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Principal and District Sessions Judge and (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, Srivilliputhur at Virudhunagar District to accept the surrender of the petitioner and consider his bail application and grant bail on the same date of surrender itself in connection with the case in Crime No.318 of 2023, registered on 07.08.2023 on the file of the second respondent Police.



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For Petitioner : Mr.N.Balasubramanian
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 Principal and District Sessions Judge and (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, Srivilliputhur at Virudhunagar District, to accept the surrender of the petitioner and consider his bail application and grant bail on the same date of surrender itself in connection with the case in Crime No.318 of 2023, registered on 07.08.2023 on the file of the second respondent Police.

2. It is submitted by the learned counsel that the petitioner is the accused in Crime No.318 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 147, 294 (b) and 324 of IPC r/w Sections 3 (1) (r), 3 (1) (s) and 3 (2) (Va) of the SC/ST (Prevention of Atrocities) Act, 1989 and the petitioner submits that he intends to surrender before the learned Principal and District Sessions Judge and sought for a direction to dispose of the bail application on the very same day in Crime No.318 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 Principal and District Sessions Judge and (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, Srivilliputhur at Virudhunagar 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 Principal and District 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 Principal and District 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

11.09.2023

To

- 1.The Principal and District Sessions Judge and
(Special Court for Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act, Srivilliputhur, Virudhunagar District.
- 2.The Deputy Superintendent of Police,
Rajapalayam,
Virudhunagar District.
- 2.The Inspector of Police,
Rajapalayam South Police Station,
Virudhunagar 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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