



Crl.O.P.(MD) No.16161 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.16161 of 2023

S.Navaneethan @ Navaneethakrishnan

...Petitioner

Vs.

**1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Srivaikundam Sub-Division,
Thoothukudi District.**

**2.The Inspector of Police,
Eral Police Station,
Thoothukudi District.
(Crime No.190 of 2023)**

3.Rajesh

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Sessions Judge, Special Court for Trial of Cases registered under SC / ST (POA) Act, Thanjavur District, to consider the bail application to be filed by the petitioner on the same day of its filing on his surrender in connection with the case in Crime No.190 of 2023 on the file of the Inspector of Police, Eral Police Station, Thoothukudi District.

For Petitioner : Mr.R.L.Dhilipanpandian

**For R1 & R2 : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)**



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ORDER

This Criminal Original Petition is filed under Section 482 of Cr.P.C. seeking for a direction to the learned Sessions Judge, Special Court for Trial of Cases registered under SC / ST (POA) Act, Thanjavur District, to consider the bail application to be filed by the petitioner on the same day of its filing on his surrender in connection with the case in Crime No.190 of 2023 on the file of the Inspector of Police, Eral Police Station, Thoothukudi District.

2. It is submitted by the learned counsel that the petitioner is the accused in Crime No.190 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 147, 341, 294 (b), 323 and 506 (I) of I.P.C. r/w Sections 3 (1) (r), 3 (1) (s), 3 (2) (Va) and 3 (1) (za) (C) of the SC/ST (Prevention of Atrocities) Act, 1989 and the petitioner submits that he intends to surrender before the learned Sessions Judge, and sought for a direction to dispose of the bail application on the very same day in Crime No.190 of 2023 on the file of the second respondent.

3. Learned Government Advocate (Criminal Side) submits that the injured discharged from the hospital.



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4. Considering the circumstances, the petitioner is at liberty to surrender before the learned Sessions Judge, Special Court for Trial of Cases registered under SC / ST (POA) Act, Thanjavur 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 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 Sessions 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

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To

- 1.The Sessions Judge, Special Court for Trial of Cases
registered under SC / ST (POA) Act, Thanjavur District
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Srivaikundam Sub-Division,
Thoothukudi District.
- 2.The Inspector of Police,
Eral Police Station,
Thoothukudi 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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