



Crl.O.P.(MD) No.16573 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **15.09.2023**

CORAM:

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

Crl.O.P.(MD) No.16573 of 2023

Arunachalam

...Petitioner / Accused No.1

Vs.

1.The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Karur District.

2.State through the Inspector of Police,
Pasupathipalayam Police Station,
Karur District.

(Crime No.146 of 2022)

... Respondents 1 & 2 / Complainants

3.Ramesh

...3rd Respondent / Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned District and Sessions Judge (PCR) for the exclusive trial of SC and ST Act cases, Karur to consider the bail application of the petitioner on the same day on merits in Crime No.146 of 2022 on the file of the 2nd respondent.

For Petitioner : Mr.S.Gokulraj

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 District and Sessions Judge (PCR) for the exclusive trial of SC and ST Act cases, Karur to consider the petitioner's bail application on the date of his surrender in connection with Crime No.146 of 2022 on the file of the 2nd respondent Police.

2.It is submitted by the learned counsel for the petitioner that the petitioner is the 1st accused in Crime No.146 of 2022 on the file of the 2nd respondent police, which was registered for the offences under Sections 294(b) IPC and Sections 3(1)(b), 3(1)(r) and 3(1)(s) of SC/ST (Prevention of Atrocities) Act, 1989. He further submitted that the petitioner intends to surrender before the learned District and Sessions Judge (PCR) for the exclusive trial of SC and ST Act cases, Karur and hence, seeks for a direction to dispose of the bail application on the very same day in Crime No.146 of 2022 on the file of the 2nd respondent Police.

3.The learned Government Advocate (Crl.Side) for the respondents submitted that the petitioner has no previous case.



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4.Considering the facts and circumstances, the petitioner is at liberty to surrender before the learned District and Sessions Judge (PCR) for the exclusive trial of SC and ST Act cases, Karur, 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 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 District and Sessions Judge (PCR) for the exclusive trial of SC and ST Act cases, Karur 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.

15.09.2023

NCC : Yes / No
Internet : Yes / No
Index : Yes / No

Yuva



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DR.D.NAGARJUN. J.

Yuva

To

- 1.The III Additional District and Sessions Judge (PCR Court),
Madurai.
- 2.The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Karur District.
- 3.The Inspector of Police,
Pasupathipalayam Police Station,
Karur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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