



Crl.O.P(MD)No.16665 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.09.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

Crl.O.P(MD)No.16665 of 2023

Vijayalakshmi

... Petitioner

vs.

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

2.The Inspector of Police,
Devadhanapatti Police Station,
Theni District.

3.Muthu

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Special Court for Trial of SC/ST at Cases (PCR), Theni, to consider the petitioner's bail application on the same day of her surrender in Crime No.316 of 2023 on the file of the respondent police.



Crl.O.P(MD)No.16665 of 2023

WEB COPY

For Petitioner : Mr.S.Muniyandi
For R1 & R2 : Mr.SS.Madhavan
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition is filed seeking for a direction to the learned Special Court for Trial of SC/ST at Cases (PCR), Theni, to consider the bail application filed by the petitioner on the same day of surrender in Crime No.316 of 2023 on the file of the second respondent Police.

2. It is submitted by the learned counsel for the petitioner that the petitioner is the accused No.2 in Crime No.316 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 294(b) and 506(i) of IPC and 3 (1) (r), 3(1) (s) and 3(2)(va) of SC/ST (POA) Act and the petitioner submits that she 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.316 of 2023 on the file of the second respondent.



Crl.O.P(MD)No.16665 of 2023

WEB COPY

3. Learned Government Advocate (Criminal Side) on the other hand submits that no one has been injured in this case.

4. Considering the circumstances, the petitioner is at liberty to surrender before the learned Special Court for Trial of SC/ST at Cases (PCR), Theni, 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 possibly on the very same day, it does not mean that the bail application shall be allowed. The learned Special Judge is directed to consider and dispose of the same on hearing both sides on the basis of merits and as per law.



Crl.O.P(MD)No.16665 of 2023

WEB COPY 6. With the above directions, this Criminal Original Petition is disposed of.

19.09.2023

Speaking/Non-speaking Order

NCC : Yes / No

Index : Yes / No

ssb

To

1.The Special Court for Trial of SC/ST at Cases (PCR), Theni.

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

3.The Inspector of Police,
Devadhanapatti Police Station,
Theni District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P(MD)No.16665 of 2023

DR.D.NAGARJUN, J.

ssb

Crl.O.P(MD)No.16665 of 2023

19.09.2023