



Crl.O.P.(MD) No.16794 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

Crl.O.P.(MD) No.16794 of 2023

Murugan

... Petitioner

Vs.

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

2.The Inspector of Police,
Devadhanapatti Police Station,
Theni District.
(Crime No.316 of 2023)

3.Muthu

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, 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 surrender in Crime No.316 of 2023, on the file of the respondent Police.

For Petitioner

: Mr.S.Muniyandi

For R1 & R-2

: Mr.SS.Madhavan,
Government Advocate (Criminal 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 Special Judge for Trial of SC/ST Act Cases (PCR), Theni, to consider the petitioner's bail application on the same day of surrender in Crime No.316 of 2023, on the file of the respondent Police.

2. It is submitted by the learned counsel that the petitioner is Accused No.1 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(1) 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 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.316 of 2023 on the file of the second respondent.

3. Learned Government Advocate (Criminal Side) submits that there is no previous criminal history.



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

6. With the above direction, the Criminal Original Petition is disposed of.

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

20.09.2023

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DR.D.NAGARJUN. J.

tsg

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.

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