



CRL.O.P.(MD)No.17257 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :26.09.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

CRL.O.P.(MD)No.17257 of 2023

Mohammed Mubarak

... Petitioner

Vs

1.The Deputy Superintendent of Police,
Palani Division,
Dindigul District.

2.The Inspector of Police,
Swaminathapuram Police Station,
Dindigul District.

3.Dhakshinamoorthy

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Special Court for the Exclusive trial of SC and ST Act Cases, Dindigul, to consider the bail application of the petitioner on the same day on his surrender on merits in Crime No.137 of 2023 on the file of the second respondent Police.

For Petitioner : Mr.J.Krishnakumar

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



WEB COPY



CRL.O.P.(MD)No.17257 of 2023

ORDER

This Criminal Original Petition is filed under Section 482 of Cr.P.C. seeking for a direction to the learned Special Court for the Exclusive trial of SC and ST Act Cases, Dindigul, to consider the bail application of the petitioner on the same day on his surrender on merits in Crime No.137 of 2023 on the file of the second respondent Police.

2. It is submitted by the learned counsel that the petitioner is Accused No.2 in Crime No.137 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 294 (b) and 323 of I.P.C. 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 Special Judge, and sought for a direction to dispose of the bail application on the very same day in Crime No.137 of 2023 on the file of the second respondent.

3. Learned Government Advocate (Criminal Side) submits that the injured discharged from the hospital on 08.09.2023.



CRL.O.P.(MD)No.17257 of 2023

4. Considering the circumstances, the petitioner is at liberty to

surrender before the learned Special Judge for the exclusive trial of SC and ST Cases, Dindigul, 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
tsg

26.09.2023



CRL.O.P.(MD)No.17257 of 2023

- 1.The Special Court for the exclusive trial
of SC and ST Cases, Dindigul.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Palani Sub Division, Dindigul District.
- 3.The Inspector of Police,
Swaminathapuram Police Station,
Dindigul District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CRL.O.P.(MD)No.17257 of 2023

DR.D.NAGARJUN, J.

tsg

CRL.O.P.(MD)No.17257 of 2023

26.09.2023