



CrI.O.P.(MD) No.17359 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **27.09.2023**

CORAM:

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

CrI.O.P.(MD) No.17359 of 2023

Ayyappan

...Petitioner

Vs.

1.The Deputy Superintendent of police
Nilakottai, Dindigul District.

2.The Inspector of Police,
Batlagundu Police Station,
Dindigul District.
(Crime No.341 of 2023)

3.Diwan

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Sessions Judge, Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, 1989, Dindigul, to consider the petitioner's bail application on the same day of his surrender in Crime No.341 of 2023 on the file of the respondent Police.

For Petitioner

: Mr.S.Muniyandi

For R1 & R-2

: Mr.B.Thanga Aravindh,
Government Advocate (Criminal Side)



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ORDER

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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 Exclusive Trial of Cases under SC/ST (POA) Act, 1989, Dindigul, to consider the petitioner's bail application on the same day of his surrender in Crime No.341 of 2023 on the file of the respondent Police.

2. It is submitted by the learned counsel that the petitioner is the Accused No.1 in Crime No.341 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 147, 148, 294(b), 323, 324, 336, 427 and 506 (2) IPC, Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 and 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 Sessions Judge and sought for a direction to dispose of the bail application on the very same day in Crime No.341 of 2023 on the file of the second respondent.

3. Learned Government Advocate (Criminal Side) submits that the injured discharged from the hospital. He further submits that there is no previous criminal history against the petitioner / Accused No.1.



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4. Considering the circumstances, the petitioner is at liberty to surrender before the learned Sessions Judge, Special Court of Exclusive Trial of Cases under SC/ST (POA) Act, 1989, 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 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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DR.D.NAGARJUN. J.

tsg

To

- 1.The Sessions Judge, Special Court,
Exclusive trial of Cases under SC/ST (POA) Act, 1989,
Dindigul.
- 2.The Deputy Superintendent of police
Nilakottai, Dindigul District.
- 3.The Inspector of Police,
Batlagundu Police Station,
Dindigul District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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