

**IN THE SUPREME COURT OF INDIA**  
**CRIMINAL APPELLATE JURISDICTION**  
**CRIMINAL APPEAL No.804 OF 2022**  
**(Arising out of SLP (Cr1) No.3012 of 2022)**

P. GANESAN

Appellant

VERSUS

STATE OF TAMIL NADU & ORS.

Respondents

**O R D E R**

1. Leave granted.
2. This appeal challenges the judgment and order dated 03.12.2020 passed by the High Court of Judicature of Madras, Bench at Madurai in Writ Petition (MD) No.16528/2017.
3. The writ petition was filed by the appellant praying *inter alia* that he be provided compensation in the sum of Rs.1 Crore within such time as may be stipulated by the High Court.
4. While dealing with such writ petition, the order passed by the High Court was to the following effect:

"2. The learned counsel appearing for the petitioner submitted that the petitioner is ready and willing to surrender before the concerned Court and prayed that bail petition may consider on the same day and seeks permission of this Court to withdraw this Petition.

3. Considering the request of the learned counsel appearing for the petitioner, this writ petition is dismissed as withdrawn. However, if the petitioner surrender before the concerned Court, the bail petition may be considered on the same day on merits in accordance with law. No costs."

5. There appears to be some mistake in passing the order as what has been observed by the High Court in paragraphs 2 and 3 has nothing to do with the fact situation presented before the High Court.

6. We, therefore, have no other alternative but to set-aside the instant order and restore the petition on the file of the High Court to be disposed of on merits.

7. We have not and shall not be taken to have reflected on the merits of the claim made before the High Court and all issues including the question whether or not the petitioner can maintain and be granted relief as prayed for are left to be decided by the High Court.

8. With these observations, the appeal is allowed.

.....J.  
(UDAY UMESH LALIT)

.....J.  
(S. RAVINDRA BHAT)

.....J.  
(SUDHANSHU DHULIA)

New Delhi,  
May 13, 2022

ITEM NO.26

COURT NO.2

SECTION II-C

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition for Special Leave to Appeal (Cr1.) No.3012/2022

(Arising out of impugned final judgment and order dated 03-12-2020 in WPMD No.16528/2017 passed by the High Court Of Judicature At Madras At Madurai)

P. GANESAN

Petitioner(s)

VERSUS

STATE OF TAMIL NADU &amp; ORS.

Respondent(s)

(FOR ADMISSION and I.R.; and, IA No.47154/2022 - FOR EXEMPTION FROM FILING O.T.)

Date : 13-05-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT  
HON'BLE MR. JUSTICE S. RAVINDRA BHAT  
HON'BLE MR. JUSTICE SUDHANSHU DHULIA

For Petitioner(s) Mr. M.P. Parthiban, AOR

For Respondent(s) Mr. V. Krishnamurthy, Sr. Adv./AAG  
Dr. Joseph Aristotle S., AOR  
Ms. Nupur Sharma, Adv.  
Ms. Shobhit Dwivedi, Adv.  
Mr. Sanjeev Kumar Mahara, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

Leave granted.

The appeal is allowed, in terms of the signed order placed on the file.

Pending applications, if any, also stand disposed of.

(MUKESH NASA)  
COURT MASTER

(VIRENDER SINGH)  
BRANCH OFFICER