



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2016

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THE HON'BLE MR.JUSTICE G.CHOCKALINGAM

Crl.O.P.(MD) No.23532 of 2016

Sri Hari Prasath @ Hari .. Petitioner/Accused No.1
Vs

The State Rep. By its
The Inspector of Police,
Papanasam Police Station,
Thanjavur District.
(Crime No.451 of 2016)

.. Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the Learned I-Additional District and Sessions Judge cum PCR Court, Thanjavur to accept the surrender of the petitioner and to consider his bail application on the same day in connection with Crime No.451 of 2016, on the file of the respondent police.

For Petitioner : Mr.B.Jameel Arasu

For Respondent : Mr.A.P.Balasubramani
Government Advocate (Crl. side)

ORDER

This petition has been filed to direct the learned I-Additional District and Sessions Judge cum PCR Court, Thanjavur to accept the surrender of the petitioner and to consider his bail application on the same day, in connection with Crime No.451 of 2016, on the file of the respondent police.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent and perused the materials available on record.

3. In respect of the offences punishable under the provisions of Scheduled Castes and Scheduled Tribes Act, the Deputy Superintendent of Police is the investigating officer. But in the present case, the Deputy Superintendent of Police concerned has not been made as a party respondent. Instead, the Inspector of Police, Papanasam Police Station, Thanjavur District, who is not a competent person, has been made as a party. Therefore, this Criminal Original Petition is liable to be dismissed.



4. In the result, this Criminal Original Petition is dismissed. However, liberty is given to the petitioner to file fresh application.

Sd/
Assistant Registrar(AS)

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/True Copy/

Sub Assistant Registrar.

To:

1.The Inspector of Police,
Papanasam Police Station,
Thanjavur District.

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

PJL

CSL/AMI/12.01.2017 : 2P/3C

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