



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.03.2020

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.4029 of 2020

Krishnamoorthy

... Petitioner

Vs.

1.The Assistant Commissioner of Police,
(Law and Order),
Palayamkottai,
Tirunelveli District.

2.The Inspector of Police,
Palayamkottai Police Station,
Palayamkottai
Tirunelveli District.
(Crime No.109 of 2020)

3.Ramachandran

... Respondents

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the learned II Additional District and Sessions Judge (Special Judge for P.C.R. Cases), Tirunelveli, Tirunelveli District to consider and dispose of the bail application filed by the petitioner in Crime No.109 of 2020 dated 17.12.2020 on the file of the 2nd respondent herein on the same day of his surrender before the said Court.

For Petitioner : Mr.A.Thiruvadi Kumar

For Respondents : Mr.A.Robinson

Govt. Advocate (Crl. Side) for R1 & R2

O R D E R

Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondents 1 and 2. Considering the relief to be granted, notice to the third respondent is dispensed with.



2.I went through the contents of the FIR. The occurrence had taken place on account of a petty and minor road accident. The petitioner had in fact moved the learned Sessions Court seeking anticipatory bail. Only then, it was informed that the FIR has been altered and provisions under Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act had been included.

3.Considering the overall facts and circumstances of the case, I am of the view that it is a case in which the petitioner's bail petition should be disposed of on the same day of surrender. The petitioner states that he will surrender before the Special Court on 13.03.2020. The petitioner will also send a private notice by Registered Post addressed to the third respondent about his proposal to surrender and apply for bail on the said date.

4.The petitioner's counsel states that he would send notice today itself. The postal receipt or the returned cover shall be taken as sufficient service. The respondents 1 and 2 are also directed to intimate the third respondent about the petitioner's proposal to surrender on 13.03.2020. The learned Special Judge is directed to dispose of the petitioner's bail petition on the same day of surrender.

5.The criminal original petition is disposed of on these terms.

Sd/-

Assistant Registrar(CS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To:

1.The II Additional District and Sessions Court
(Special Judge for P.C.R. Cases),
Tirunelveli, Tirunelveli District

2.The Assistant Commissioner of Police,
(Law and Order),
Palayamkottai,
Tirunelveli District.



3. The Inspector of Police,
Palayamkottai Police Station,
Palayamkottai
Tirunelveli District.

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

+1 CC to M/s.A.THIRUVADIKUMAR, Advocate (SR-10058[F] dated
04/03/2020)

Cr1.O.P (MD) No. 4029 of 2020
04.03.2020

vr (CO)
TR(04.03.2020) 3P 6C