



WEB COPY



Crl.O.P.No.22977 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.22977 of 2023

1.Chandra Kumar
2.Dhanalakshmi

... Petitioners

Vs.

1.The Assistant Commissioner of Police,
Thiruvottiyur Police Range,
Thiruvottiyur, Chennai.

2. The State Rep.by
Inspector of Police,
H5, New Washermanpet Police Station,
New Washermanpet, Chennai
Crime No.827 of 2009

3.Karthick Kumar

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to direct the Principal District Sessions Judge, Chennai to accept the surrender of the petitioners and consider their bail petition in Crime No.827 of 2019 pending on the file of the second respondent police on the same day.

For Petitioners : Mr.S.Palani

For Respondents : Mr.S.Udaya Kumar
Government Advocate (Crl. Side)



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ORDER

This Criminal Original Petition is filed to direct the learned the Principal District Sessions Judge, Chennai to consider the bail application on surrender.

2. The absconding accused cannot expect that their bail application should be considered on the same day itself, such a direction cannot be given to the Court below by this Court in exercising of power under Section 482 of Criminal procedure Code, 1973. More particularly, when the offence is under SC/ST Act and there is a mandatory requirement under the statute that the defacto-complainant must be heard before considering the bail petition.

3. In Such circumstances, there no merit in this petition. Hence this Criminal Original Petition is dismissed. It is open for the petitioners to approach the trial Court and get appropriate remedy.

12.10.2023

Index : Yes/No
Neutral Citation : Yes/No
rpl

To

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Crl.O.P..No.22977 of 2025

1.The Principal District Sessions Judge, Chennai

2.1.The Assistant Commissioner of Police,
Thiruvottiyur Police Range,
Thiruvottiyur, Chennai.

2. The Inspector of Police,
H5, New Washermanpet Police Station,
New Washermanpet, Chennai

4.The Public Prosecutor,
High Court, Madras.



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Dr.G.JAYACHANDRAN,J.

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