



WEB COPY



Crl.O.P.No.22806 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.22806 of 2023

Billa @ Prakash

... Petitioner

Vs.

1. State represented by
The Superintendent of Police,
Arakkonam,
Ranipet District.

2. The State Rep.by
Inspector of Police,
Nemili Police Station,
Ranipet District.
Crime No.98 of 2011

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to direct the Principal District and Sessions Judge, Vellore to consider the petitioner's bail application on surrendering before the Court on the same day in Crime No.98 of 2011 pending investigation on the file of the 2nd respondent.

For Petitioner : Mr.G.Thamizhazhagan

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



Crl.O.P.No.22806 of 2023

ORDER

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

2. The absconding accused cannot expect that his 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 petitioner 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.22806 of 2025

1.The Principal District and Sessions Judge, Vellore

2.The Superintendent of Police,
Arakkonam,
Ranipet District.

3. The State Rep.by
Inspector of Police,
Nemili Police Station,
Ranipet District.

4.The Public Prosecutor,
High Court, Madras.



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Dr.G.JAYACHANDRAN,J.

rpl

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