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Crl.O.P.No.22336 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.22336 of 2023

1. Krishnan
2. Kasthuri
3. Indhumathi
4. Salamma
5. Sasikala
6. Sellamuthu
7. Parimala

... Petitioners

Vs.

1. State Represented by
The Deputy Superintendent of Police,
Uthangarai,
Krishnagiri District.

2. The Inspector of Police,
Mathur Police Station,
Krishnagiri District.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the Learned Principal District and Sessions Judge, Krishnagiri, Krishnagiri District to consider the petitioner's bail application on his surrender in Crime No.358/2023 pending investigation on the file of the Inspector of Police, Mathur Police Station, Krishnagiri District.

For Petitioners : Mr.R.Thulasi

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 Principal District Judge, Krishnagiri to consider the bail application on surrender.

2. To the understanding of this Court, there is no bar or impediment for a Judge to consider the bail petition on surrender of the accused, who is absconding. However, 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 under SC/ST Act, 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, the Criminal Original Petition is disposed of.

03.10.2023

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



Crl.O.P..No.22336 of 2025

To

1. The Deputy Superintendent of Police,
Uthangarai,
Krishnagiri District.
2. The Inspector of Police,
Mathur Police Station,
Krishnagiri District.
3. The Public Prosecutor,
High Court, Madras.



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Dr.G.JAYACHANDRAN,J.

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