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Crl.O.P.No.23207 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.23207 of 2023

Selvam

... Petitioner

Vs.

The State Rep.by
Inspector of Police,
Periyathatchur Police Station,
Villupuram District.
Crime No.222 of 2023

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to direct the learned Sessions Judge, SC & ST Court, Villupuram to consider the petitioner's bail application on the day of his surrender in Crime No.222 of 2023 on the file of the Periyathatchur Police Station, Villupuram District.

For Petitioner : Ms.V.Sasirekaha

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

ORDER

This Criminal Original Petition is filed to direct the learned Sessions Judge, SC & ST Court, Villupuram to consider the bail application on surrender.



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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

1.The Sessions Judge, SC & ST Court, Villupuram.

2.The Inspector of Police,
Periyathatchur Police Station,
Villupuram District.

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Crl.O.P..No.23207 of 2025

3. The Public Prosecutor,
High Court, Madras.



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Dr.G.JAYACHANDRAN,J.

rpl

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