



Crl.O.P(MD) No.9901 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 05.07.2023

CORAM:

The Hon`ble Dr.Justice **D.NAGARJUN**

Crl.O.P.(MD)No.9901 of 2023

1. Rajendran
2. Shanmugam ... Petitioners / Accused No:2 & 4

Vs

1.The State Representation by
The Inspector of Police,
Vattathikotai Police Station,
Thanjavur District.
(Cr.No: 385 of 2023)

2. Premnath

3. Vijay

*(R2 and R3 are Impleaded as per order
of the court dated 15/06/2023 in
Crl.MP(MD)8509 of 2023 in
Crl.OP(MD)9901 of 2023 by GIJ)*

... Respondent / Complainant

Prayer: Petition filed under Section 482 of Cr.P.C., to issue a direction to the I Additional District sessions Judge cum PCR Court to consider and dispose the Petitioners Bail application on Merits on the same date of surrender in connected with Crime.No.385/2023 on the file of the Respondent Police.



Crl.O.P(MD) No.9901 of 2023

For Petitioner : M/S. K.Mahendran
For R1 : Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)
For R2 to R3 : Mr.A.C.Asaithambi

ORDER

This Criminal Original Petition is filed seeking for a direction to the I Additional District sessions Judge cum PCR Court, Thanjavur, to consider the bail applications of the petitioners on the same day, on merits in Crime No.385 of 2023 on the file of the first respondent.

2. It is submitted by the learned counsel appearing for the petitioners that the petitioners are accused Nos.2 and 4 in Crime No.385 of 2023 on the file of the first respondent police, which was registered for the offences under Sections 294(b), 307, 324, 341, 427, 506(ii) of IPC read with Section 3(1)(r), 3(1)(s), 3(2)(va) of SC/ ST (POA) Act.

3.The petitioners submit that they intends to surrender before the learned Special Judge and sought for a direction to dispose of the bail application on the very same day in Crime No.358 of 2023 on the file of the first respondent.



Crl.O.P(MD) No.9901 of 2023

WEB COPY

4.Considering the circumstances, the petitioners are at liberty to surrender before the I Additional District sessions Judge cum PCR Court, Thanjavur, within a period of 15 days from the date of receipt of a copy of this order. If the petitioners surrender and file bail applications, the learned Special Judge is directed to dispose of the same as per law as expeditiously as possible preferably on the same day by giving notice to the prosecutor and on hearing both sides. It is needless to state that merely because this direction is given to dispose of the application possibly on the very same day does not mean that the bail application shall be allowed. The learned Special Judge is directed to consider and dispose of the same on hearing both sides on the basis of merits and as per law.

05.07.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

pnn



WEB COPY



Crl.O.P(MD) No.9901 of 2023

DR. D.NAGARJUN, J.

pnn

To

- 1.The I Additional District sessions Judge cum PCR Court, Thanjavur.
- 2.The Inspector of Police, Vattathikotai Police Station,
Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN

Crl.O.P.(MD)No.9901 of 2023

Date: 05.07.2023