



CRL.O.P.(MD)No.10194 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 11.07.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

CRL.O.P.(MD)No.10194 of 2023

Sri Balaji @ Balaji s ... Petitioner / Accused No.2
Vs

1.The Deputy Superintendent of Police,
Srivilliputhur, Virudhunagar District.

2.The Inspector of Police,
Krishnankovil Police Station,
Virudhunagar District.

.. Respondent Nos.1 & 2 / Complainants

3.Shanthiraja

...Respondent No.3/ Respondent No.3 /
Defacto Complainant

4.Kanagaraj ...Proposed 4th Respondent / Victim
(Respondent No.4 impleaded as per order of this Court dated 11.07.2023)

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, directing the Special Court (PCR), Srivilliputhur, Virudhunagar District to accept the surrender of the petitioner in connection with Crime No.86 of 2023 on the file of the second respondent and consider the bail application to be filed by him on the same day on merits and in accordance with law.

For Petitioner : Mr.G.Karuppasamy Pandiyan

For R-1 & R-2 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

For R-4 : Mr.T.Indrachithu



CRL.O.P.(MD)No.10194 of 2023

ORDER

WEB COPY

This Criminal Original Petition is filed seeking for a direction to the Special Court (PCR), Srivilliputhur, Virudhunagar District to accept the surrender of the petitioner in connection with Crime No.86 of 2023 on the file of the second respondent and consider the bail application on the same day on merits.

2.It is submitted by the learned counsel appearing for the petitioner that the petitioner is an accused No.2 in Crime No.86 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 294(b), 324 and 506 (ii) of I.P.C. and Sections 3 (1) (r), 3 (1) (s) of SC / ST Act POA Act, 1989.

3. When the matter is being heard, Mr.T.Indrachithu, Advocate appearing for the injured reported that on account of injuries inflicted by the petitioner / Accused No.2, the injured was in Hospital for about ten days and that the petitioner is stated to have used shovel.

4. The petitioner submits that he 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.86 of 2023 on the file of the second respondent.



CRL.O.P.(MD)No.10194 of 2023

5. Considering the same, the learned Single Judge is directed to permit the fourth respondent / injured also to submit his arguments at the time of considering the bail application. Further, the petitioner is at liberty to surrender before the learned Special Judge (PCR), Srivilliputhur, Virudhunagar District, within a period of 15 days from the date of receipt of a copy of this order. If the petitioner surrenders and files bail application, 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.

6. In view of the above, this Criminal Original Petition stands disposed of.

11.07.2023

NCC:yes/no
Index:yes/no
Internet:yes/no
tsg



WEB COPY



CRL.O.P.(MD)No.10194 of 2023



WEB COPY



CRL.O.P.(MD)No.10194 of 2023

DR.D.NAGARJUN, J.

tsg

To

- 1.The Special Judge (PCR), Srivilliputhur, Virudhunagar District.
- 2.The Deputy Superintendent of Police,
Srivilliputhur, Virudhunagar District.
- 3.The Inspector of Police,
Krishnankovil Police Station,
Virudhunagar District
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CRL.O.P.(MD)No.10194 of 2023

11.07.2023