



WEB COPY

Crl.O.P.(MD)No.11223 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.07.2023**

CORAM:

THE HONOURABLE DR.JUSTICE **D.NAGARJUN**

Crl.O.P.(MD)No.11223 of 2023

M.Ponraj

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Nanguneri Division,
Tirunelveli District.

2.The Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.
(Crime No.181 of 2023)

3.S.Selvaraj

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the II Additional District and Sessions Judge (Special Court for PCR Cases), Tirunelveli to consider the bail application on the same day of his surrender in respect of Crime No.181 of 2023 on the file of the second respondent.

For Petitioner : Mr.P.Rajesh

For R1 and R2 : Mr.B.Thanga Aravindh
Government Advocate Crl.Side)



ORDER

WEB COPY

This Criminal Original Petition is filed seeking for a direction to the learned II Additional District and Sessions Judge (Special Court for PCR Cases), Tirunelveli to consider the bail application of the petitioner on the same day on merits in Crime No.181 of 2023 on the file of the second respondent.

2.It is submitted by the learned counsel appearing for the petitioner that the petitioner is an accused No.3 in Crime No.181 of 2023 on the file of the second respondent police, which is registered for the offences under Sections 294(b), 323, 307 and 506(2) IPC and 3(1)(r), 3(1)(s) and 3(2)(va) of the SC/ST (Prevention of Atrocities) Act, 1989.

3.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.181 of 2023 on the file of the second respondent.

4.Considering the circumstances, the petitioner is at liberty to surrender before the learned II Additional District and Sessions Judge (Special Court for PCR Cases), Tirunelveli within a period of 15 days



CrI.O.P.(MD)No.11223 of 2023

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. This petition is disposed of accordingly.

Index : Yes/No
Internet : Yes/No
mm

04.07.2023

To

- 1.The II Additional District and Sessions Judge,
(Special Court for PCR Cases),
Tirunelveli.
- 2.The Deputy Superintendent of Police,
Nanguneri Division,
Tirunelveli District.
- 3.The Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.11223 of 2023

DR.D.NAGARJUN. J.

mm

Crl.O.P.(MD)No.11223 of 2023

04.07.2023