



Crl.O.P.(MD)No.12109 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **05.07.2023**

CORAM:

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

Crl.O.P.(MD) No.12109 of 2023

Elumalai

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
DSP Office,
Thanjavur District.

2.The Inspector of Police,
Pappanadu Police Station,
Thanjavur District.
(Crime No.480 of 2023)

3.Thirumeni

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to consider the bail application of the petitioner on merits in accordance with law on the same day in connection with Crime No.480 of 2023 dated 13.06.2023 on the file of the 2nd respondent by the learned III Additional District Sessions and PCR Court at Thanjavur within a stipulated time that may be fixed by this Court.

For Petitioner
For R1 and R2

: Mr.V.Sujatha
: Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)



ORDER

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This Criminal Original Petition is filed seeking for a direction to the learned III Additional District Sessions and PCR Court at Thanjavur to consider the bail application of the petitioner on the same day on merits in Crime No.480 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.1 in Crime No.480 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 294(b), 324, 506(1) and 379 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.480 of 2023 on the file of the second respondent.

4.Considering the circumstances, the petitioner is at liberty to surrender before the III Additional District Sessions and PCR Court at Thanjavur 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.

5.It is needless to state that merely because this direction is given to dispose of the application as expeditiously as possible on the very same day does not mean that the bail application shall be allowed. The learned Special Judge is required to hear both sides on merits and dispose of the same as per law. This Petition is disposed of, accordingly.

Index : Yes/No
Internet : Yes/No
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05.07.2023

To

- 1.The III Additional District Sessions and PCR Court
at Thanjavur.
- 2.The Deputy Superintendent of Police,
DSP Office,
Thanjavur District.
- 3.The Inspector of Police,
Pappanadu Police Station,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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DR.D.NAGARJUN. J.

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