



WEB COPY

CrI.O.P.(MD)No.12754 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **17.07.2023**

CORAM:

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

CrI.O.P.(MD) No.12754 of 2023

1.C.Sonai

2.Dinesh

... Petitioners / Accused Nos.3 & 5

Vs.

1.The Deputy Superintendent of Police,
Alagar Kovil Main Road,
Swami Vivkandanda Nagar,
Moondrumavadi, Madurai-625 0007.

2.The State
Represented by the Inspector of Police,
Austinpatti, Madurai District.
(Crime No.149 of 2023)

3.M.Muthupandi

...Complainants

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned III Additional Sessions Judge (PCR Court), Madurai, to accept the surrender of the petitioners and consider their bail application on the same day on merits in relating to Crime No.149 of 2023 dated 20.06.2023 on the file of the respondent Police.

For Petitioners

: Mr.P.Kannan

For R1 and R2

: Mr.SS.Madhavan

Government Advocate (CrI.Side)



WEB COPY

Crl.O.P.(MD)No.12754 of 2023



ORDER

This Criminal Original Petition is filed seeking for a direction to the learned III Additional Sessions Judge (PCR Court), Madurai, to accept the surrender of the petitioners and consider their bail application on the same day on merits in relating to Crime No.149 of 2023 dated 20.06.2023 on the file of the respondent Police.

2. It is submitted by the learned counsel appearing for the petitioners that the petitioners are Accused Nos.3 and 5 in Crime No.149 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 147, 148, 294(b), 323, 324 and 506 (ii) of I.P.C., Section 4 of TNPWH Act and Sections 3 (1) (r), 3 (1) (s) and 3 (2) (va) of the SC/ST (POA) Act, 1989.

3. The petitioners submit that they intend to surrender before the learned learned III Additional Sessions Judge and sought for a direction to dispose of the bail application on the very same day in Crime No.149 of 2023 on the file of the second respondent.



4. Considering the circumstances, the petitioners are at liberty to surrender before the III Additional Sessions Judge (PCR Court), Madurai, within a period of 15 days from the date of receipt of a copy of this order. If the petitioners surrender and file bail application, the learned III Additional Sessions 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 III Additional Sessions Judge is directed to consider and dispose of the same on hearing both sides on the basis of merits and as per law.

17.07.2023

NCC:Yes/No

Index : Yes/No

Internet : Yes/No

tsg

To

1.The III Additional Sessions Judge (PCR Court), Madurai.

2.The Deputy Superintendent of Police,
Alagar Kovil Main Road,
Swami Vivkandanda Nagar,
Moondrumavadi, Madurai-625 0007.

3.The Inspector of Police,
Austinpatti, Madurai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



CrI.O.P.(MD)No.12754 of 2023

DR.D.NAGARJUN. J.

tsg

CrI.O.P.(MD)No.12754 of 2023

17.07.2023