



Crl.O.P.(MD)No.12671 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **14.07.2023**

CORAM:

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

Crl.O.P.(MD) No.12671 of 2023

1.Vetrivel
2.Nilesh @ Nilesh Kumar
3.Selva @ Selvakumar ... Petitioners / Accused Nos.3, 5 & 6
Vs.

1.State represented by
the Deputy Superintendent of Police,
Thiruppathur Division,
Thiruppathur, Sivagangai District.

2.The Inspector of Police,
S.V.Mangalam Police Station,
Sivagangai District.
(Crime No.62 of 2023) ..Respondents / Complainants

3.Iyyappan ..3rd Respondent / *Defacto*
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Additional District and Sessions Court for the Exclusive Trial of PCR Act Cases, Sivagangai to accept the surrender of the petitioners and consider the bail application to be filed by the petitioners on the same day on merits in Crime No.62 of 2023 on the file of the second respondent Police.



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For Petitioners : Mr.T.Veerakumar
For R1 and R2 : Mr.Thanga Aravindh
Government Advocate Crl.Side)

ORDER

This Criminal Original Petition is filed seeking for a direction to the Additional District and Sessions Court for the Exclusive Trial of PCR Act Cases, Sivagangai, to accept the surrender of the petitioners and consider the bail application to be filed by the petitioners on the same day on merits in Crime No.62 of 2023 on the file of the second respondent Police.

2. It is submitted by the learned counsel appearing for the petitioners that the petitioners are Accused Nos.3, 5 and 6 in Crime No.62 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 147, 148, 341 and 324 of IPC and 3 (1) (r) and 3 (1) (s) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3. The petitioners submit that they intend to surrender before the learned Additional District and Sessions Judge and sought for a direction to dispose of the bail application on the very same day in Crime No.62 of 2023 on the file of the second respondent.



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4. Considering the circumstances, the petitioners are at liberty to surrender before the Additional District and Sessions Court for the Exclusive Trial of PCR Act Cases, Sivagangai, 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 Additional District and 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 Additional District and Sessions Judge is directed to consider and dispose of the same on hearing both sides on the basis of merits and as per law.

Index : Yes/No
Internet : Yes/No
tsg

14.07.2023



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DR.D.NAGARJUN. J.

tsg

To

- 1.The Additional District and Sessions Court
for the Exclusive Trial of PCR Act Cases, Sivagangai.
- 2.The Deputy Superintendent of Police,
Thiruppathur Division,
Thiruppathur, Sivagangai District.
- 3.The Inspector of Police,
S.V.Mangalam Police Station,
Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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