



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 17.07.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

Crl.O.P.(MD) No.12744 of 2023

Palanisamy

... Petitioner /2nd Accused

Vs.

1.The State

by the Deputy Superintendent of Police,
Oddanthatram Division,
Dindigul District.

..1st Respondent / Investigating Officer

2.The Inspector of Police,

Reddiyarchatram Police Station,
Dindigul District.
(Crime No.90 / 2023)

2nd Respondent / Complainant

3.Santhanakaruppaiah

..3rd Respondent / *Defacto* Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Principal District and Sessions Judge (Special Court for PCR Cases), Dindigul, to consider the petitioner's bail application on the same day of his surrender in respect of Crime No.90 of 2023 on the file of the second respondent, pending investigation

For Petitioner
For R1 and R2

: Mr.D.Venkatesh
: Mr.SS.Madhavan
Government Advocate Crl.Side)



ORDER

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This Criminal Original Petition is filed seeking for a direction to the Principal District and Sessions Judge (Special Court for PCR Cases), Dindigul, to consider the petitioner's bail application on the same day of his surrender in respect of Crime No.90 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.2 in Crime No.90 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 147, 148, 294 (b), 307 and 506 (ii) of IPC r/w 3 (1) (f), 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 Principal District and Sessions Judge and sought for a direction to dispose of the bail application on the very same day in Crime No.90 of 2023 on the file of the second respondent.



4. Considering the circumstances, the petitioner is at liberty to surrender before the Principal District and Sessions Judge (Special Court for PCR Cases), Dindigul, 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 Principal 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 Principal 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

17.07.2023

Internet : Yes/No

tsg

To

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



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CrI.O.P.(MD)No.12744 of 2023

DR.D.NAGARJUN. J.

tsg

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