



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **25.07.2023**

CORAM:

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

Crl.O.P.(MD) No.12904 of 2023

Vimal Raj

... Petitioner / Sole Accused

Vs.

1.The Deputy Superintendent of Police,
Thiruvidaimaruthur, Thanjavur District.

2.The Sub Inspector of Police,
Cholapuram Police Statin,
Thiruvidaimaruthur,
Thanjavur District.

(Crime No.390 of 2023)

..Respondents 1 & 2 / Complainants

3.Manoranjitham

..3rd Respondent / *Defacto* Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Additional Sessions and District Judge and Special Court for SC/ST (POA) Act, Thanjavur, to accept the surrender of the petitioner's bail application and grant bail on the date of surrender itself in Crime No.390 of 2023 on the file of the second respondent Police.

For Petitioner
For R1 and R2

: Mr.S.Sankar
: Mr.E.Antony Sahaya Prababar
Additional Public Prosecutor



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Crl.O.P.(MD)No.12904 of 2023



ORDER

This Criminal Original Petition is filed seeking for a direction to the learned Additional Sessions and District Judge and Special Court for SC/ST (POA) Act, Thanjavur, to accept the surrender of the petitioner's bail application and grant bail on the date of surrender itself in Crime No.390 of 2023 on the file of the second respondent Police.

2. It is submitted by the learned counsel that the petitioner is sole accused in Crime No.390 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 294(b) and 354 of IPC and 3 (1) (r), 3 (1) (s) and 3 (2)(va) of the SC/ST (Prevention of Atrocities) Act, 1989 and the petitioner submits that he intends to surrender before the learned Additional Sessions and District Judge and sought for a direction to dispose of the bail application on the very same day in Crime No.390 of 2023 on the file of the second respondent.

3. Learned Government Advocate (Criminal Side) submits that there is no previous criminal history.



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4. Considering the circumstances, the petitioner is at liberty to surrender before the Additional Sessions and District Judge and Special Court for SC/ST (POA) Act, 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 Additional Sessions and District 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 possibly on the very same day, it does not mean that the bail application shall be allowed. The learned Additional Sessions and District 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

25.07.2023



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CrI.O.P.(MD)No.12904 of 2023

DR.D.NAGARJUN. J.

tsg

To

- 1.The Additional Sessions and District Judge
and Special Court for SC/ST (POA) Act, Thanjavur.
- 2.The Deputy Superintendent of Police,
Thiruvidaimaruthur, Thanjavur District.
- 3.The Sub Inspector of Police,
Cholapuram Police Statin,
Thiruvidaimaruthur,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P.(MD)No.12904 of 2023

25.07.2023