



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 19.07.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

Crl.O.P.(MD) No.12975 of 2023

Thirukumar @ Thirukumaran

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Theni,
Theni District.

2.The Inspector of Police,
Allinagaram Police Station,
Theni District.
Crime No.256 of 2023.

3.Suriyaprakash

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Additional Sessions Judge for PCR Cases, Theni District, to accept the surrender of the petitioner and consider the bail application on the same day in accordance with law of his surrender in connection with Crime No.256 of 2023 on the file of the second respondent Police.

For Petitioner
For R1 and R2

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



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ORDER

This Criminal Original Petition is filed seeking for a direction to the learned Additional Sessions Judge for PCR Cases, Theni District, to consider the bail application of the petitioner on the same day on merits in Crime No.256 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 a sole accused in Crime No.256 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 294(b) and 323 IPC, 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 Additional Sessions Judge for PCR Cases, Theni District and sought for a direction to dispose of the bail application on the very same day in Crime No.256 of 2023 on the file of the second respondent.

4.Considering the circumstances, the petitioner is at liberty to surrender before the learned Additional Sessions Judge for PCR Cases, Theni District, within a period of 15 days from the date of receipt of a



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copy of this order. If the petitioner surrenders and files bail application, the learned Additional Sessions Judge for PCR Cases, Theni District, 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 Additional Sessions Judge for PCR Cases, Theni District is required to hear both sides on merits and dispose of the same as per law.

Index : Yes/No
Internet : Yes/No
ssb

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To

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- 1.The learned Additional Sessions Judge for PCR Cases, Theni District
- 2.The Deputy Superintendent of Police,
Theni,
Theni District.
- 3.The Inspector of Police,
Allinagaram Police Station,
Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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DR.D.NAGARJUN. J.

ssb

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