



WEB COPY

Crl.O.P.(MD)No.13174 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.07.2023**

CORAM:

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

Crl.O.P.(MD) No.13174 of 2023

1.Ranjith

2.Vallavan

... Petitioners / Accused Nos.1 and 2

Vs.

1.State represented by its
The Deputy Superintendent of Police,
Melur, Madurai District.

2.The Inspector of Police,
Melur Police Station,
Madurai District.

..Respondents 1 & 2/ Complainants

3.Sevagamoorthi

..3rd Respondent / *Defacto* Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned III Additional District and Sessions Judge (PCR), Madurai, to consider the bail application of the petitioners on the same day of their surrender before that Court in connection with Crime No.445 of 2023 on the file of the second respondent.

For Petitioners
For R1 and R2

: Mr.J.Imran Khan
: Mr.B.Thanga Aravindh
Government Advocate Crl.Side)



ORDER

This Criminal Original Petition is filed seeking for a direction to the learned III Additional District and Sessions Judge (PCR), Madurai, to consider and dispose of the bail application of the petitioners in Crime No.445 of 2023 on the file of the second respondent on the same day of their surrender.

2. It is submitted by the learned counsel for the petitioners that the petitioners are Accused Nos.1 and 2 in Crime No.445 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 147, 148, 294(b), 341, 323, 324 and 506 (ii) of IPC r/w Sections 3 (1) (r), 3 (1) (s) and 3 (2) (va) of the Tamil Nadu Scheduled Caste and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 and the petitioners submit that they intend to surrender before the learned III Additional District and Sessions Judge and sought for a direction to dispose of the bail application on the very same day in Crime No.445 of 2023 on the file of the second respondent.

3. Learned Government Advocate (Criminal Side) on the other hand has raised some formal objections. He further submits that there is no previous criminal history.



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4. Considering the circumstances, the petitioners are at liberty to surrender before the learned III Additional District and Sessions Judge (PCR), 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 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.

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 III 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

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DR.D.NAGARJUN. J.

tsg

To

1. The III Additional District and Sessions Judge (PCR),
Madurai.
2. The Deputy Superintendent of Police,
Melur, Madurai District.
3. The Inspector of Police,
Melur Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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