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Crl.O.P.(MD)No.13463 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.07.2023**

CORAM:

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

Crl.O.P.(MD) No.13463 of 2023

Manikandan

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Thirutharaipoondi Division,
Thiruvarur District.

2.The Inspector of Police,
Muthupettai Police Station,
Thiruvarur District.
(Crime No.330 of 2023)

3.Pannerselvam

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 1st Additional District and Sessions Court for (PCR) Act cases, Thanjavur to consider the bail application of the petitioner on the same day on his surrender in connection with Crime No.330 of 2023 on the file of the 2nd respondent police.

For Petitioner : Mr.B.Prasanna Vinoth

For R1 and R2 : 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 1st Additional District and Sessions Court for (PCR) Act cases, Thanjavur to consider the bail application filed by the petitioner on the same day of surrender in Crime No.330 of 2023 on the file of the second respondent Police.

2.It is submitted by the learned counsel for the petitioner that the petitioner is the Accused No.1 in Crime No.330 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 294(b), 323 and 506 (I) IPC r/w Sections 3 (1) (r) and 3 (1) (s) of the SC/ST (Prevention of Atrocities) Act, 1989 and the petitioner submits that he intends to surrender before the learned Sessions Judge and sought for a direction to dispose of the bail application on the very same day in Crime No.330 of 2023 on the file of the second respondent.

3.Learned Government Advocate (Criminal Side) on the other hand submits that the injured has been discharged from the hospital and the petitioner is having no previous case.



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4.Considering the circumstances, the petitioner is at liberty to surrender before the learned 1st Additional District and Sessions Court for (PCR) Act cases, 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 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 sessions Judge is directed to consider and dispose of the same on hearing both sides on the basis of merits and as per law. This Petition is disposed of accordingly.

Index : Yes/No
Internet : Yes/No
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27.07.2023

To

1.The 1st Additional District and Sessions Judge
for (PCR) Act cases
Thanjavur.



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- 2.The Deputy Superintendent of Police,
Thirutharaipoondi Division,
Thiruvarur District.
- 3.The Inspector of Police,
Muthupettai Police Station,
Thiruvarur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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DR.D.NAGARJUN. J.

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