



CrI.O.P.(MD)No.14849 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **23.08.2023**

CORAM:

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

CrI.O.P.(MD) No.14849 of 2023

1.T.Thangapalam

2.T.Rajasekar

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Valliyoor Sub Division,
Tirunelveli District.

2.The Inspector of Police,
Pazhavor Police Station,
Tirunelveli District.
Crime No.178 of 2023.

3.Indira

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned II Additional District and Sessions Judge (PCR Court), Tirunelveli District, to consider the bail application to be filed by the petitioners on the same day of its filing on their surrendering in connection with the case in Crime No.178 of 2023 on the file of the Inspector of Police, Pazhavor Police Station, Tirunelveli District.



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For Petitioners : Mr.A.Kesavan

For R1 and R2 : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition is filed seeking for a direction to the learned II Additional District and Sessions Judge (PCR Court), Tirunelveli District, to consider the bail application of the petitioners on the same day on merits in Crime No.178 of 2023 on the file of the second respondent.

2.It is submitted by the learned counsel appearing for the petitioners that the petitioners are the accused Nos.1 and 2 in Crime No.178 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 341, 294(b), 352 and 506(1) IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the SC/ST (Prevention of Atrocities) Act, 1989.

3.The petitioners submit that they intend to surrender before the learned II Additional District and Sessions Judge (PCR Court),



Tirunelveli District, and sought for a direction to dispose of the bail application on the very same day in Crime No.178 of 2023 on the file of the second respondent.

4.The learned Government Advocate (criminal side) appearing for the official respondents submits that no previous case is pending against the petitioners and no one has been injured in this case.

5.Considering the circumstances, the petitioners are at liberty to surrender before the learned II Additional District and Sessions Judge (PCR Court), Tirunelveli District, 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 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.

6.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, it does not mean that the bail application shall be allowed. The learned Sessions Judge is required to hear both sides on merits and dispose of the same as per law.



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7. With the above directions, this Criminal Original Petition is disposed of.

Index : Yes/No
Internet : Yes/No
ssb

23.08.2023

To

1.The learned III Additional District and Sessions Judge (PCR Court),
Tirunelveli District.

2.The Deputy Superintendent of Police,
Valliyoore Sub Division,
Tirunelveli District.

3.The Inspector of Police,
Pazhavoore Police Station,
Tirunelveli 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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