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Crl.O.P.(MD)No.14862 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.08.2023**

CORAM:

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

Crl.O.P.(MD) No.14862 of 2023

D.Karthikeyan

... Petitioner / Accused

Vs.

1.The Superintendent of Police,
O/o. the Superintendent of Police,
Thanjavur District.

2.The Inspector of Police,
Ammamet Police Station,
Thanjavur District.
In Crime No.763 of 2023

3.Sekar

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Additional District Judge (Special Court for PCR Cases), Thanjavur, to consider the bail applications to be filed by the petitioner on the same day for his surrender in connection with Crime No.763 of 2023 pending on the file of the second respondent.

For Petitioner : Mr.S.S.Sundarapandian

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



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ORDER

This Criminal Original Petition is filed under Section 482 of Cr.P.C. seeking for a direction to the learned Additional District Judge (Special Court for PCR Cases), Thanjavur, to consider the bail applications to be filed by the petitioner on the same day for his surrender in connection with Crime No.763 of 2023 pending on the file of the second respondent.

2. It is submitted by the learned counsel for the petitioner that the petitioner is Accused in Crime No.763 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 294(b), 427 and 506 (i) of IPC r/w Sections 3 (1) (r), 3 (1) (s) and 3 (2) (va) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and the petitioner submits that he intends to surrender before the learned Additional District Judge and sought for a direction to dispose of the bail application on the very same day in Crime No.763 of 2023 on the file of the second respondent.

3. Learned Government Advocate (Criminal Side) on the other hand 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 learned Additional District Judge (Special Court for PCR 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 Additional 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 District Judge is directed to consider and dispose of the same on hearing both sides on the basis of merits and as per law.

6. Accordingly, the Criminal Original Petition stands allowed.

24.08.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
tsg



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To

1.The Additional District Judge (Special Court for PCR Cases),
Thanjavur.

2.The Superintendent of Police,
O/o. the Superintendent of Police,
Thanjavur District.

3.The Inspector of Police,
Ammamet Police Station,
Thanjavur District.
In Crime No.763 of 2023

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

tsg

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