



CrI.O.P.(MD)No.15094 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **29.08.2023**

CORAM:

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

CrI.O.P.(MD) No.15094 of 2023

S.Sankar @ Suthanthiram

... Petitioner / Sole Accused

Vs.

1.The Deputy Superintendent of Police,
Sivagangai Division,
Sivagangai District.

2.The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District.
(Crime No.194 of 2023)

3.Boominathan

.. Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Additional District Judge (PCR) for SC/ST (POA) Act Cases, Sivagangai, to consider the petitioner's bail application on the date of his surrender in connection with Crime No.194 of 2023 on the file of the Inspector of Police, Sivagangai Taluk Police Station, Sivagangai District.

For Petitioner	: Mr.C.Ezhilarasu
For R1 and R2	: Mr.B.Thanga Aravindh
	Government Advocate (Criminal 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 (PCR) for SC/ST (POA) Act Cases, Sivagangai, to consider the petitioner's bail application on the date of his surrender in connection with Crime No.194 of 2023 on the file of the second respondent Police.

2. It is submitted by the learned counsel that the petitioner is sole accused in Crime No.194 of 2023 on the file of the second respondent police, which was registered for the offences under Section 506 (i) of IPC r/w 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 Additional District Judge and sought for a direction to dispose of the bail application on the very same day in Crime No.194 of 2023 on the file of the second respondent.

3. Learned Government Advocate (Criminal Side) 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 Additional District Judge (PCR) for SC/ST (POA) Act Cases, Sivagangai, 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. With the above direction, the Criminal Original Petition is disposed of.

Index : Yes/No
Internet : Yes/No
tsg

29.08.2023



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DR.D.NAGARJUN. J.

tsg

To

- 1.The Additional District Judge (PCR)
for SC/ST (POA) Act Cases. Sivagangai.
- 2.The Deputy Superintendent of Police,
Sivagangai Division,
Sivagangai District.
- 3.The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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