



CrI.O.P.(MD) No.15211 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.08.2023**

CORAM:

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

CrI.O.P.(MD) No.15211 of 2023

1.Maranatha

2.Kondammal

... Petitioners

Vs.

1.State through

The Deputy Superintendent of Police,
Thirumangalam,
Madurai District.

2.State through

The Inspector of Police,
Kallikudi Police Station,
Madurai District,
Crime No.158 of 2023.

3.Murugesan

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned III Additional District Judge for PCR Cases, Madurai to accept the surrender of the petitioners/Accused Nos.1 & 2 and consider their bail application on the same day in connection with Crime No.158 of 2023, on the file of the second respondent police.



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For Petitioner : Mr.G.Mariappan
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 III Additional District Judge for PCR Cases, Madurai to accept the surrender of the petitioners/Accused Nos.1 & 2 and consider their bail application on the same day in connection with Crime No.158 of 2023, on the file of the second respondent police.

2.It is submitted by the learned counsel appearing for the petitioner that the petitioners are the accused Nos.1 & 2 in Crime No.158 of 2023 on the file of the respondent No.2 police, which was registered for the offences under Sections 342, 324, 506(ii) IPC and Section 3(1)(r), 3(1)(s) and 3(2)(va) of the SC/ST (Prevention of Atrocities) Act, 1989, and that he intends to surrender before the learned Special Judge and sought for a direction to dispose of the bail application on the very same day in Crime No.158 of 2023 on the file of the respondent No.2 police.



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

4.Considering the circumstances, the petitioner is at liberty to surrender before the III Additional District Judge for PCR Cases, Madurai, 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 Special 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 as expeditiously as possibly on the very same day does not mean that the bail application shall be allowed. The learned Special Judge is required to hear both sides on merits and dispose of the same as per law. This Petition is disposed of, accordingly.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No
am

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To

- 1.The Deputy Superintendent of Police,
Thirumangalam,
Madurai District.
- 2.The Inspector of Police,
Kallikudi Police Station,
Madurai District,
- 3.The III Additional District Judge for PCR Cases,
Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

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