



Crl.O.P.(MD) No.15365 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 31.08.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

Crl.O.P.(MD) No.15365 of 2023

Azarudeen

...Petitioner

Vs.

**1.The Deputy Superintendent of Police,
Melur Sub Division,
Melur, Madurai.**

**2.The Inspector of Police,
Kottampatti Police Station,
Kottampatti,
Madurai.
(Crime No.250 of 2023)**

3.Sathya

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Principal Sessions Judge, Madurai (Special Court for SC / ST Act Cases), to consider the bail application of the petitioner / Accused No.2 in Crime No.250 of 2023 on the same date of surrender and dispose of the same on its merits in accordance with law.

**For Petitioner : Mr.P.Ganapathi Subramanian
For R1 & R2 : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)**



WEB COPY



Crl.O.P.(MD) No.15365 of 2023

ORDER

This Criminal Original Petition is filed under Section 482 of Cr.P.C. seeking for a direction to the learned Principal Sessions Judge, (Special Court for SC / ST Act Cases), Madurai, to consider the petitioner's bail application on the date of his surrender in connection with Crime No.250 of 2023 on the file of the second respondent Police.

2. It is submitted by the learned counsel that the petitioner is Accused No.2 in Crime No.250 of 2023 on the file of the second respondent police, which was registered for the offences under Section 406, 420, 294(b), 323 and 506(1) of IPC, Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, r/w Sections 3 (1) (r), 3 (1) (s) and 3 (2) (va) of the SC/ST (Prevention of Atrocities) Act, 1989 and the petitioner submits he intends to surrender before the learned Principal Sessions Judge and sought for a direction to dispose of the bail application on the very same day in Crime No.250 of 2023 on the file of the second respondent.

3. Learned Government Advocate (Criminal Side) submits that there is no previous criminal history.



Crl.O.P.(MD) No.15365 of 2023

WEB COPY

4. Considering the circumstances, the petitioner is at liberty to surrender before the learned Principal Sessions Judge, (Special Court for SC / ST Act 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 Principal 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 Principal Sessions 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.

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

31.08.2023



WEB COPY



Crl.O.P.(MD) No.15365 of 2023

DR.D.NAGARJUN. J.

tsg

To

- 1.The Principal Sessions Judge,
(Special Court for SC/ST Cases), Madurai,
- 2.The Deputy Superintendent of Police,
Melur Sub Division,
Melur, Madurai.
- 3.The Inspector of Police,
Kottampatti Police Station,
Kottampatti,
Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD)No.15365 of 2023

31.08.2023