



CrI.O.P.(MD) No.15629 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.09.2023**

CORAM:

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

CrI.O.P.(MD) No.15629 of 2023

Alagarsamy

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Peraiyur Sub Division, Madurai District.

2.State
represented by the Inspector of Police,
Villoor Police Station, Madurai District.
(Cr.No.56 of 2023)

3.Arunpandi

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned III Additional District and Sessions Judge, PCR Court, Madurai to accept the surrender of the petitioner and consider his bail application on the same day on merits in relating to Cr.No.56 of 2023 dated 21.08.2023 on the file of the Respondent Police.



Crl.O.P.(MD) No.15629 of 2023

WEB COPY

For Petitioner :Mr.P.Balan
For R1and 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 and Sessions Judge, PCR Court, Madurai to consider the bail application of the petitioner on the same day on merits in Crime No.56 of 2023 on the file of the respondent No.2 police.

2.It is submitted by the learned counsel appearing for the petitioner that the petitioner is the accused No.1 in Crime No.56 of 2023 on the file of the respondent No.2 police, which was registered for the offences under Sections 294(b), 323, 324 and 506 (ii) IPC and Section 3(1)(r), 3(1)(s), 3(2)(va) of the SC/ST (Prevention of Atrocities) Amendment Act, 2015, 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.56 of 2023 on the file of the respondent No.2 police.



Crl.O.P.(MD) No.15629 of 2023

WEB COPY 3.Learned Government Advocate (Criminal Side) on the other hand submits that there is no hospitalization.

4.Considering the circumstances, the petitioner is at liberty to surrender before the learned III Additional District and Sessions Judge, PCR Court, 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.



Crl.O.P.(MD) No.15629 of 2023

WEB COPY 6.This Petition is disposed of, accordingly.

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

01.09.2023

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To

- 1.The III Additional District and Sessions Judge, PCR Court, Madurai.
- 2.The Deputy Superintendent of Police,
Peraiyur Sub Division, Madurai District.
- 3.The Inspector of Police,
Villoor Police Station, Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD) No.15629 of 2023

DR.D.NAGARJUN. J.

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Crl.O.P.(MD)No.15629 of 2023

01.09.2023