



CrI.O.P.(MD) No.15841 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.15841 of 2023

Muthupandi

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Thalaiyuthu, Tirunelveli District.

2.State represented by
The Inspector of Police,
Manur Police Station, Tirunelveli District.

3.Krishnan

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to issue a direction directing the II Additional Sessions Court/PCR, Tirunelveli District to accept the surrender of the petitioner along with bail application in Cr.No.408 of 2023 on the file of the 2nd respondent police herein and to consider and dispose the bail application on the same day on merits.



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For Petitioner :Mr.M.Kumar
For R1and R2 :Mr.B.Thanga Aravindh
Government Advocate (crl.side)

ORDER

This Criminal Original Petition is filed seeking for a direction to the II Additional Sessions Court/PCR, Tirunelveli District, to consider the bail application of the petitioner on the same day on merits in Crime No.408 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 sole accused in Crime No.408 of 2023 on the file of the respondent No.2 police, which was registered for the offences under Sections 294(b), 324 and 506 (2) IPC and Section 3(1)(r), 3(1)(s), 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.408 of 2023 on the file of the respondent No.2 police.



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WEB COPY 3.Learned Government Advocate (Criminal Side) on the other hand submits that the injured has been discharged from the hospital on 28.08.2023.

4.Considering the circumstances, the petitioner is at liberty to surrender before the II Additional Sessions Court/PCR, Tirunelveli District, 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

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To

- 1.The Judge,
II Additional Sessions Court/PCR, Tirunelveli District.
- 2.The Deputy Superintendent of Police,
Thalaiyuthu, Tirunelveli District.
- 3.The Inspector of Police,
Manur Police Station, Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

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