



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **04.09.2023**

CORAM:

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

Crl.O.P.(MD) No.16022 of 2023

1.Senthil @ Senthilnathan

2.Kumaravel

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Muthupettai, Tiruvarur District.

2.The Inspector of Police,
Muthupettai Police Station,
Tiruvarur District.
(Crime No.446 of 2023)

3.Mr.Boominathan

.. Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned I Additional District and Sessions Judge, (PCR Court), Thanjavur, to accept the surrender of the petitioners and to consider the bail application to be filed by the petitioners on the same day in Crime No.446 of 2023 on the file of the second respondent Police.

For Petitioners : Mr.T.A.Ebenezer

For R1 and R2 : Mr.SS.Madhavan
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 I Additional District and Sessions Judge, (PCR Court), Thanjavur, to accept the surrender of the petitioners and to consider the bail application to be filed by the petitioners on the same day in Crime No.446 of 2023 on the file of the second respondent Police.

2. It is submitted by the learned counsel for the petitioners that the petitioners are accused Nos.3 and 4 in Crime No.446 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 352 and 427 of IPC r/w Sections 3 (1) (r) and 3 (1) (s) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and the petitioners submit that they intend to surrender before the learned I Additional District and Sessions Judge and sought for a direction to dispose of the bail application on the very same day in Crime No.446 of 2023 on the file of the second respondent.

3. Learned Government Advocate (Criminal Side) submits that there are four cases pending against the petitioner



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4. Considering the circumstances, the petitioners are at liberty to surrender before the learned I Additional District and Sessions Judge, (PCR Court), Thanjavur, within a period of 15 days from the date of receipt of a copy of this order. If the petitioners surrender and file bail application, the learned I Additional District and 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 I Additional District and Sessions Judge is directed to consider and dispose of the same on hearing both sides on the basis of merits and as per law. Learned trial Judge also, at the time of passing of the order, shall consider the antecedents of the petitioners pending before the various Court.



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6. With the above direction, the Criminal Original Petition is disposed of.

Index : Yes/No
Internet : Yes/No
tsg

04.09.2023

To

- 1.The I Additional District and Sessions Judge (PCR Court),
Thanjavur.
- 2.The Deputy Superintendent of Police,
Muthupettai, Tiruvarur District.
- 3.The Inspector of Police,
Muthupettai Police Station,
Tiruvarur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN. J.

tsg

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