



Crl.O.P.(MD) No.16587 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.09.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

Crl.O.P.(MD)No.16587 of 2023

S. Balakrishnan

... Petitioner

Vs.

1. The Assistant Commissioner of Police,
Palayamkottai Circle,
Tirunelveli City.

2. The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli City.
(Cr.No. 989/2023)

3. M.D.Uththiranayagam

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned IInd Additional District and Sessions Judge (PCR Court), Tirunelveli to accept the surrender of the Petitioner and consider his bail application on the same day on merits in relating to Crime No. 989/2023 dated 24.08.2023 on the file of the 2nd Respondents police.



Crl.O.P.(MD) No.16587 of 2023

WEB COPY

For Petitioner :Mr.Saravanakumar. S

For R1 and R2 :Mr.Thanga Aravindh. B
Government Advocate (crl.side)

ORDER

This Criminal Original Petition is filed seeking for a direction to the learned IInd Additional District and Sessions Judge (PCR Court), Tirunelveli, to consider the bail application of the petitioner on the same day on merits in Crime No.989 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.989 of 2023 on the file of the respondent No.2 police, which was registered for the offences under Sections 294(b) and 506 (1) 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.989 of 2023 on the file of the respondent No.2 police.



Crl.O.P.(MD) No.16587 of 2023

WEB COPY

3.Learned Government Advocate (Criminal Side) on the other hand submits that the accused is having no previous case and there is no hospitalization.

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



WEB COPY



Crl.O.P.(MD) No.16587 of 2023

6.This Petition is disposed of, accordingly.

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

14.09.2023

mm

To

1. The Assistant Commissioner of Police,
Palayamkottai Circle,
Tirunelveli City.
2. The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli City.
- 3.The IInd Additional District and Sessions Judge,
(PCR Court), Tirunelveli
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD) No.16587 of 2023

DR.D.NAGARJUN. J.

mm

Crl.O.P.(MD)No.16587 of 2023

14.09.2023