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Crl.O.P.(MD)No.16720 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **19.09.2023**

CORAM:

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

Crl.O.P.(MD) No.16720 of 2023

1.Anu @ Anuthina

2.Sathasivam

... Petitioners

Vs.

1.The Assistant Commissioner of Police,
Cantonment Range,
Trichy City.

2.The Inspector of Police,
AWPS-Cantonment Police Station,
Trichy City.
Crime No.21 of 2023.

3.Ramana

..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 Cases), Tiruchirappalli, to consider the bail application of the petitioners concerned in Crime No.21 of 2023 on the file of the second respondent Police and pass orders in accordance with law on the same day on his surrender, if any petition filed by the petitioner.



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For Petitioners : Mr.K.Sivabalan
For R1 and R2 : Mr.S.S.Madhavan
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition is filed seeking for a direction to the learned I Additional District and Sessions Judge (PCR Cases), Tiruchirappalli, to consider the bail application of the petitioners on the same day on merits in Crime No.21 of 2023 on the file of the second respondent.

2.It is submitted by the learned counsel appearing for the petitioners that the petitioners are the accused Nos.4 and 5 in Crime No.21 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 376(1), 313, 294(b), 506(1) and 109 IPC and Section 3(2)(v) of the SC/ST (Prevention of Atrocities) Act, 1989.

3.The petitioners submit that they intend to surrender before the learned I Additional District and Sessions Judge (PCR Cases), Tiruchirappalli, and sought for a direction to dispose of the bail



application on the very same day in Crime No.21 of 2023 on the file of the second respondent.

4.The learned Government Advocate (criminal side) appearing for the official respondents submits that no previous case is pending against the petitioners.

5.Considering the circumstances, the petitioners are at liberty to surrender before the learned I Additional District and Sessions Judge (PCR Cases), Tiruchirappalli, 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 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.

6.It is needless to state that merely because this direction is given to dispose of the application as expeditiously as possible on the very same day, it does not mean that the bail application shall be allowed. The learned Sessions Judge is required to hear both sides on merits and dispose of the same as per law.



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7. With the above directions, this Criminal Original Petition is disposed of.

Index : Yes/No
Internet : Yes/No
ssb

19.09.2023

To

- 1.The learned I Additional District and Sessions Judge (PCR Cases),
Tiruchirappalli.
- 2.The Assistant Commissioner of Police,
Cantonment Range,
Trichy City.
- 3.The Inspector of Police,
AWPS-Cantonment Police Station,
Trichy City.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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DR.D.NAGARJUN. J.

ssb

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