



CrI.O.P.(MD) No.16755 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

CrI.O.P.(MD) No.16755 of 2023

1 Sivasankar

2. Vidhyasankar

... Petitioners/ Accused Nos.1 and 2

Vs.

1. The Deputy Superintendent of police
Thanjavur District.

2. The Inspector of Police,
Swamimalai Police Station,
Thanjavur District.
(In Crime No.386 of 2023)

3. Parimala

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned 1st Additional District and Sessions Judge (PCR Court), Thanjavur, to consider the bail application to be filed by the petitioners on the same day of their surrender in Crime No.386 of 2023 on the file of the 2nd respondent Police.



Crl.O.P.(MD) No.16755 of 2023

WEB COPY

For Petitioners : Mr.R.Rajaraman

For R1 & R-2 : Mr.SS.Madhavan,
Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition is filed under Section 482 of Cr.P.C. seeking for a direction to the learned 1st Additional District and Sessions Judge (PCR Court), Thanjavur, to consider the bail application to be filed by the petitioners on the same day of their surrender in Crime No.386 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.1 and 2 in Crime No.386 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 294 (b), 354, 352 and 506 (ii) of IPC r/w Sections 3 (1) (r), 3 (1) (s) and 3 (2) (va) of the SC/ST (Prevention of Atrocities Act), 1989 and the petitioners submit that they intend to surrender before the learned Sessions Judge and sought for a direction to dispose of the bail application on the very same day in Crime No.386 of 2023 on the file of the second respondent.



Crl.O.P.(MD) No.16755 of 2023

WEB COPY

3. Learned Government Advocate (Criminal Side) on the other hand submits that there is no previous history.

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 applications, 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.

5. It is needless to state that merely because this direction is given to dispose of the applications possibly on the very same day, it does not mean that the bail applications shall be allowed. The learned Sessions Judge is directed to consider and dispose of the same on hearing both sides on the basis of merits and as per law.



Crl.O.P.(MD) No.16755 of 2023

WEB COPY

6. Accordingly, this Criminal Original Petition stands disposed of.

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

20.09.2023

tsg
To

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



WEB COPY



Crl.O.P.(MD) No.16755 of 2023

DR.D.NAGARJUN. J.

tsg

Crl.O.P.(MD) No.16755 of 2023

20.09.2023