



Crl.O.P.(MD) No.16779 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

Crl.O.P.(MD) No.16779 of 2023

Prince Sivakumar @ Prince S.Sivakumar ... Petitioner/ Accused No.1
Vs.

1. The State rep by
The Assistant Commissioner of Police,
The Assistant Commissioner of Police Office,
Fort, Trichy City.

2. The Inspector of Police,
Fort Police station,
Trichy City,
(Crime No.2228 of 2023).

3. Chelladurai ... 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) cases, Thiruchirappalli, to accept the surrender of the petitioner and consider the bail application on the date of surrender in connection with Crime No.2228 of 2023 on the file of the 2nd Respondent Police.



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For Petitioner

: Mr.B.Jameelarasu

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) cases, Thiruchirappalli, to accept the surrender of the petitioner and consider the bail application on the date of surrender in connection with Crime No.2228 of 2023 on the file of the 2nd Respondent Police.

2. It is submitted by the learned counsel that the petitioner is Accused No.1 in Crime No.2228 of 2023 on the file of the second respondent police, which was registered for the offences under Sections 294 (b), 352, 420 and 506(1) of IPC r/w Sections 3 (1) (r) and 3 (1) (s) of the SC/ST (Prevention of Atrocities) Amendment Act, 2015 and the petitioner submits he intends 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.2228 of 2023 on the file of the second respondent.



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3. Learned Government Advocate (Criminal Side) submits that there is no previous criminal history.

4. Considering the circumstances, the petitioner is 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 petitioner surrenders and files 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.

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 Sessions Judge is directed to consider and dispose of the same on hearing both sides on the basis of merits and as per law.



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

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

20.09.2023

tsg
To

1. The Additional District and Sessions Judge for PCR Cases,
Tiruchirappalli.
2. The Assistant Commissioner of Police,
the Assistant Commissioner of Police office,
Fort, Trichy City.
3. The Inspector of Police,
Fort Police station,
Trichy City,
(Crime No.2228 of 2023).
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

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