



*CrI.O.P.(MD) No.16872 of 2023*

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.09.2023**

CORAM:

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

**CrI.O.P.(MD)No.16872 of 2023**

Sundar

... Petitioner

Vs.

1.The Assistant Commissioner of Police,  
Tirunelveli Junction, Tirunelveli City.

2.The Inspector of Police,  
Thatchanallur Police Station,  
Tirunelveli City.  
(in Cr.No.668 of 2023)

3.Arumugam

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, directing the II Additional Sessions Judge (Special Court for PCR Cases), Tirunelveli to consider the petitioner's bail application on the same of their surrender in Cr.No.668 of 2023 on the file of the 2<sup>nd</sup> respondent.

For Petitioner  
For R1 and R2

:Mr.T.Lenin Kumar  
:Mr.S.S.Madhavan  
Government Advocate (Criminal.side)

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### **ORDER**

This Criminal Original Petition is filed seeking for a direction to the learned II Additional Sessions Judge (Special Court for PCR Cases), Tirunelveli to consider the bail application of the petitioner on the same day on merits in Crime No.668 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 accused No.2 in Crime No.668 of 2023 on the file of the respondent No.2 police, which was registered for the offences under Sections 294(b), 334 and 506 (2) IPC and Section 3(1)(r), 3(1)(s), 3(2)(va) of the SC/ST (Prevention of Atrocities) Amendment Act, 2015, 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.668 of 2023 on the file of the respondent No.2 police.

3.Learned Government Advocate (Criminal Side) on the other hand submits that there are simple injury.



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4.Considering the circumstances, the petitioner is at liberty to surrender before the learned II Additional Sessions Judge (Special Court for PCR Cases), 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.

6.This Petition is disposed of, accordingly.

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

**22.09.2023**

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To

- 1.The II Additional Sessions Judge (Special Court for PCR Cases), Tirunelveli.
- 2.The Assistant Commissioner of Police,  
Tirunelveli Junction, Tirunelveli City.
- 3.The Inspector of Police,  
Thatchanallur Police Station,  
Tirunelveli City.
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**DR.D.NAGARJUN. J.**

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**22.09.2023**