



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.06.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

Criminal Original Petition (MD) No.10012 of 2015

WEB COPY

Josuva @ Joshi

... Petitioner/Accused No.2
Vs

The State rep. By
The Inspector of Police,
Nazareth Police Station,
Thoothukudi District.
(Crime No.128 of 2015)

... Respondent/Complainant

PRAYER: This petition is preferred under Section 482 Cr.P.C to direct the II Additionl District Judge(PCR Court), Tirunelveli to consider the bail application of the petitioner on the same day on merits in the event of his surrender in connection with Crime No.128 of 2015 on the file of the respondent.

For Petitioner : Mr.S.Royce Emmanuel

For Respondent : Mr.K.Anbarasan
Government Advocate (Crl.Side)

ORDER

The petitioner approaches this Court to direct the learned II Additionl District Judge(PCR Court), Tirunelveli to consider the bail application of the petitioner on the same day on merits in the event of his surrender in connection with Crime No.128 of 2015 on the file of the respondent.

2. The petitioner is alleged to have committed an offence under Sections 294(b), 324, 323, 506(ii) of IPC and Section 3(i)(X) of SC/ST (POA) Act 1989. It is stated by the petitioner that he is innocent.

3. The learned counsel for the petitioner would submit that the petitioner is prepared to surrender before the lower Court to co-operate with the prosecution and his petition for bail may be ordered to be considered on the same day.



4. The learned Government Advocate (Crl. Side) would oppose the said request.

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5. Considering the submission of the petitioner and considering the fact and circumstances by issuing a direction to the lower Court to dispose of the petition for bail on the same day, no prejudice would be caused to the prosecution, the following direction is issued to the lower Court:-

"In the event of the petitioner surrendering before the lower Court and his filing of petition seeking bail, the lower Court shall dispose of the said petition for bail on the same day strictly on merits and in accordance with law."

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

Sd/-
Assistant Registrar(RTI)

/True copy/

Sub Assistant Registrar

To

1.The II Additionl District Judge(PCR Court),
Tirunelveli.

2.The Inspector of Police,
Nazareth Police Station,
Thoothukudi District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/s.S.Roycee Emmanuel,Advocate SR.No.28393

Crl.O.P(MD) .No.10012 of 2015
08.06.2015

pm

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