



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.06.2015

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Criminal Original Petition (MD) No.11001 of 2015

1.Azar @ Azarudeen
2.Siddik @ Abubakker Siddhik
3.Naveen
4.Senthil @ Senthilnathan ... Petitioners/Accuse 4, 5 7 & 8

Vs

State rep by its
The Inspector of Police,
Manamadurai Police Station,
Manamadurai,
Sivagangai District.
Crime No.297 of 2015 ... Respondents

PRAYER: This petition is preferred under Section 482 Cr.P.C to direct the learned Sessions Court and (Special Court for Exclusive Trial of Cases under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Sivagangai to accept the surrender of the petitioners/accused and consider the petitioners' bail application and grant bail on the date of surrender itself in Crime No.297 of 2015.

For Petitioners : Mr.R.Boominathan
For Respondents : Mrs.S.Prabha
Government Advocate (Crl.Side)

ORDER

The petitioners approach this Court to direct the learned Sessions Court and (Special Court for Exclusive Trial of Cases under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Sivagangai to accept the surrender of the petitioners/accused and consider the petitioners' bail application and grant bail on the date of surrender itself in Crime No.297 of 2015.

2. The petitioners are alleged to have committed an offence under Sections 147, 148, 341, 294(b) and 506(ii) of IPC r/w. Sec.



3(1) (r) of SC/ST (POA) Amendment Ordinance Act, 2014. It is stated by the petitioners that they are innocent.

3. The learned counsel for the petitioners would submit that the petitioners are prepared to surrender before the lower Court to co-operate with the prosecution and their petitions for bail may be ordered to be considered on the same day.

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

5. Considering the submission of the petitioners 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 petitioners surrendering before the learned Sessions Court and (Special Court for Exclusive Trial of Cases under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Sivagangai and their filing of petition seeking bail, the learned Sessions Court and (Special Court for Exclusive Trial of Cases under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Sivagangai, 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(CO)

/True Copy/

Sub Assistant Registrar

To

- 1.The Sessions Judge,
(Special Court for Exclusive Trial of Cases under
the Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act, 1989,Sivagangai.
 - 2.The Inspector of Police,
Manamadurai Police Station,
Manamadurai,Sivagangai District.
 - 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,Madurai.
- +1cc Mr.R.Boominathan, Advocate Sr.No.31997

ns

AA/29.06.2015/2p-5c/