

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 22.06.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH**Cr1.O.P(MD) No.11304 of 2015**

1.Vijay
2.Ramu
3.Siva

..Petitioners/Accused 4, 10,12

Vs.

State through
The Inspector of Police,
Theni Police Station,
in Crime NO.873 of 2014,
Theni District.

... Respondent/Complainant

PRAYER: This petition is preferred under Section 482 Cr.P.C to direct the Principal District and Sessions Judge (PCR), Theni to consider the bail application on their surrender on the same day, if any petition filed by the petitioners in Crime NO.873 of 2014, on the file of the respondent.

For Petitioners : Mr.M.Subash Babu

For Respondents : Mrs.S.Prabha
Government Advocate(Cr1.Side)

ORDER

The petitioners approach this Court with a prayer to direct the learned Principal District and Sessions Judge (PCR), Theni, to accept the surrender of the petitioners in connection with the Crime No.873 of 2014, pending investigation on the file of the respondent police and to consider and pass orders in the bail application on the same day.

2. The petitioners are alleged to have committed an offences under Sections 147, 148, 294(b) and 506(ii) I.P.C. and 3(1)(r) (s), 3 (2)(r)(a) of SC/ST Act of POA Amendment Ordinance 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 petition for bail may be ordered to be considered on the same day.

4. The learned Government Advocate (Cr1. Side) would oppose the said request.



5. Considering the facts and circumstances of the case and also considering the submissions of the learned counsel for the petitioners 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 learned Principal District and Sessions Judge (PCR), Theni and their filing of petition seeking bail, the learned learned Principal District and Sessions Judge (PCR), Theni shall dispose of the said petition for bail on the same day strictly on merits and in accordance with law."

Accordingly, the Criminal Original Petition stands disposed of.

Sd/-

Assist Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

1.The Principal District Sessions Court (PCR),
Theni.

2. The Inspector of Police,
Theni Police Station,
Theni District.

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

+1cc to M/s.M.Subash Babu, Advocate Sr.NO.32835

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Cr1.O.P(MD)No.11304 of 2015

22.06.2015