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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.06.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

CRL OP (MD) No.11895 of 2015

Daniel Dinakaran ... Petitioner/5th Accused

Vs

The State by
The Inspector of Police,
Kadayam Police Station,
Tirunelveli District.
(Crime No.217/2012) ... Respondent/Complainant

PRAYER: This petition is preferred under Section 482 Cr.P.C praying to direct the II Additional District and Sessions Judge (Special Court for PCR Cases) Tirunelveli to consider his bail application on the same day on his surrender in respect of Crime No.217 of 2012, on the file of the respondent pending investigation.

For Petitioner : Mr.D.Venkatesh

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

ORDER

The petitioner approaches this Court praying to direct the II Additional District and Sessions Judge (Special Court for PCR Cases) Tirunelveli to consider his bail application on the same day on his surrender in respect of Crime No.217 of 2012, on the file of the respondent pending investigation.

2. The petitioner is alleged to have committed an offence under Sections 147, 294(b), 323 & 506(ii) of IPC r/w 3(1)(x) of SC/ST (Prevention of Atrocities) Act,. It is stated by the petitioner that he is an 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."

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

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1.The II Additional District and Sessions Judge
(Special Court for PCR Cases) Tirunelveli

2.The Inspector of Police,
Kadayam Police Station,
Tirunelveli District.

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

+1cc to M/S.D.Venkatesh, Advocate in SR.No 34553

TS/03.07.2015/2P -5C

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