



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.07.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

Criminal Original Petition (MD) No.12197 of 2015

WEB COPY

- 1.Kani @ Nagoor Kani
- 2.Imam @ Mohamed Imam
- 3.Siddique @ Sikkandar
- 4.Farook @ Mubarak Kani
- 5.Mohamed Yasir
- 6.Abdul Wahith
- 7.Samsath Begam
- 8.Ashik @ Ashik raja ... Petitioners/Accused No. 1 to 5 & 7 to 9

Vs

State rep. By
The Sub-Inspector of Police,
Silaiman Police Station,
Madurai District.
(Crime No.242 of 2015) ... Respondent/Complainant

PRAYER: This petition is preferred under Section 482 Cr.P.C to direct the III Additional District & Sessions Judge, Madurai(SC/ST(Prevention of Atrocities) Act, to consider the bail application of the petitioners on the same day of their surrender in Crime No.242 of 2015 on the file of the respondent police.

For Petitioners : Mr.D.S.Haroon Rasheed
For Respondent : Mr.K.Anbarasan
Government Advocate (Crl.Side)

ORDER

The petitioners approach this Court to direct the III Additional District & Sessions Judge, Madurai(SC/ST(Prevention of Atrocities) Act, to consider the bail application of the petitioners on the same day of their surrender in Crime No.242 of 2015 on the file of the respondent police.

2. The petitioners are alleged to have committed an offence under Sections 147, 148, 294(b), 323, 427, 307 of IPC and Section 4 Tamilnadu Women Harassment Act r/w. Sec. 3(1) (x) of SC/ST Act. 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 lower Court and their 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 (AS)

/True copy/

Sub Assistant Registrar

To

1. The III Additional District & Sessions Judge,
Madurai (SC/ST (Prevention of Atrocities) Act

2. The Sub-Inspector of Police,
Silaiman Police Station,
Madurai District.

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

+1cc to Mr. D. S. Haroon Rasheed, Advocate SR.No.35528

Crl.O.P (MD) .No.12197 of 2015
02.07.2015

pm

PA/SJW/09.07.2015/2P/5C