



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.07.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

Criminal Original Petition (MD) No.12378 of 2015

WEB COPY

1.V.Akbar
2.S.Ismail
3.M.Abbas Ali
4.K.Sahul Hameed
5.S.Kodar Mydeen @ Azar
6.Jamal @ Jamal Mydeen
7.Sheik Mohammed @ Shekkappa

... Petitioners/Accused
Rank not known

Vs

State represented by
The Inspector of Police,
Pappagudi Police Station,
Pappagudi,
Tirunelveli District.
(Crime No.60 of 2013)

... Respondent/Complainant

PRAYER: This petition is preferred under Section 482 Cr.P.C to direct the learned II Additional District and Sessions Judge cum PCR Special Court, Tirunelveli to consider the bail application of the petitioners on the same day in the even of the petitioners surrender before the II Additional Sessions Judge cum PCR Special Court, Tirunelveli in connection with Crime No. 60 of 2013 pending on the file of the respondent police and pass such further or other orders, as this Court may deem fit and proper in the circumstances of the case.

For Petitioners : Mr.J.Parekhkumar

For Respondent : Mr.K.Anbarasan

Government Advocate (Crl.Side)

ORDER

The petitioners approach this Court to direct the learned II Additional District and Sessions Judge cum PCR Special Court, Tirunelveli, to consider the bail application on the same day in the event of the petitioners surrender of the petitioners in connection with Crime No. 60 of 2013 pending on the file of the respondent police.

2. The petitioners are alleged to have committed an offence under Sections 147, 148, 324 IPC and Section 3 of TNPPDL Act r/w Section 3(1) (x) of SC/ST Act, 1989. 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 II Additional District and Sessions Judge
cum PCR Special Judge, Tirunelveli
- 2.The Inspector of Police, Pappagudi Police Station,
Pappagudi, Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/s.J.Parekh Kumar, Advocate SR.No.36288

Crl.O.P(MD) .No.12378 of 2015
03.07.2015

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