



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 08.07.2015

CORAM
THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Crl.O.P (MD) No.12727 of 2015

Nithia Kumar @ Nettaiah Nithi

... Petitioner/Accused No.5

-Vs-

State represented by, The Inspector of Police,
Allangulam Police Station,
Crime No.299 of 2015
Tirunelveli District.

... Respondent/Complainant

PRAYER:- Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 praying to direct the learned II Additional Sessions Judge (PCR Court), Tirunelveli, Tirunelveli District to consider the petitioner's bail application on the date of surrender on the same day itself in Crime No.299 of 2015 on the file of the Inspector of Police, Allangulam Police Station, Tirunelveli District for offences under Sections 147, 148, 294(b), 324, 506(ii) read with 3(1)(x) of SC/ST (POA) Act.

For Petitioner : Mr.J.Senthil Kumar
For Respondent : Mr.K.Anbarasan
Government Advocate (Crl. Side)

ORDER

The petitioner approach this Court with a prayer to direct the learned II Additional Sessions Judge (PCR Court), Tirunelveli, Tirunelveli District to consider the petitioner's bail application on the date of surrender on the same day itself in Crime No.299 of 2015 on the file of the Inspector of Police, Allangulam Police Station, Tirunelveli District for offences under Sections 147, 148, 294(b), 324, 506(ii) read with 3(1)(x) of SC/ST (POA) Act.

2. The petitioner is alleged to have committed an offences under Sections 147, 148, 294(b), 324, 506(ii) read with 3(1)(x) of SC/ST (POA) Act. It is stated by the petitioner that he is 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.

<https://hcservices.ecourts.gov.in/hcservices/>

4. The learned Government Advocate (Crl. 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 petitioner 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 learned II Additional Sessions Judge (PCR Court), Tirunelveli, Tirunelveli District and his filing of petition seeking bail, the learned II Additional Sessions Judge (PCR Court), Tirunelveli, Tirunelveli District 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

ASST REGISTRAR (CO)

TRUE COPY

SUB ASST REGISTRAR

ps

To

1.The II Additional Sessions Judge (PCR Court),
Tirunelveli, Tirunelveli District

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

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

1CC TO MR. J. SENTHIL KUMAR, ADV SR: 37238

DM 13 JULY 2015 - 2P 5C

Cr1.O.P(MD)No.12727 of 2015
08.07.2015