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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Criminal Original Petition (MD) No.12783 of 2015

Seethaiammal

... Petitioner

Vs

The State By
The Inspector of Police,
Alwarkurichi Police Station,
Tirunelveli District.
(Crime No.27 of 2015)

... Respondent

PRAYER: This petition is preferred under Section 482 Cr.P.C to direct the II Additional District and Sessions Judge (Special Court for PCR Cases), Tirunelveli to consider her bail application on the same day of her surrender in respect of Crime No.27 of 2015 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 to direct the II Additional District and Sessions Judge (Special Court for PCR Cases), Tirunelveli to consider the petitioner's bail application on the same day of her surrender in respect of Crime No.27 of 2015 on the file of the respondent, pending investigation.

2. The petitioner is alleged to have committed an offence under Section 294(b) and 506(ii) of IPC and Section 4 of the TNPHW Act r/w 3(1)(s)(r), 3(2)(v a) 3(1)(w)(ii) of the SC/ST (Prevention of Atrocities) Amendment Ordinance 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.

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

5. Considering the submission of the petitioner and considering the fact and circumstances by issuing a direction to the II Additional District and Sessions Judge (Special Court for PCR Cases), Tirunelveli 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 II Additional District and Sessions Judge (Special Court for PCR Cases), Tirunelveli and her filing of petition seeking bail, the II Additional District and Sessions Judge (Special Court for PCR Cases), Tirunelveli 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 (R)

/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,
Alwarkurichi Police Station,
Tirunelveli District.

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

+1cc to Mr.D.Venkatesh, Advocate Sr.No.37639

akm/13.07.15 /2p-5c/

Cr1.O.P(MD) .No.12783 of 2015
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