



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.12862 of 2015

Eswaran

... Petitioner/Sole Accused

Vs

The State By
The Inspector of Police,
Ottanchathiram Police Station,
Dindigul District.
(Crime No.248 of 2015)

... Respondent/Complainant

PRAYER: This petition is preferred under Section 482 Cr.P.C to direct the Principal Sessions Judge (Special Court for PCR Cases) Dindigul to consider his bail application on the same day of his surrender in respect of Crime No.248 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 Principal Sessions Judge (Special Court for PCR Cases) Dindigul to consider his bail application on the same day of his surrender in respect of Crime No.248 of 2015 on the file of the respondent, pending investigation.

2. The petitioner is alleged to have committed an offence under Section 294(b), 323, 324 and 307 of IPC and Sections 3(1)(s) of the SC/ST (Prevention of Atrocities) Amendment Ordinance Act 2014. 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.

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 Principal Sessions Judge (Special Court for PCR Cases) Dindigul 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 Principal Sessions Judge (Special Court for PCR Cases) Dindigul and his filing of petition seeking bail, the Principal Sessions Judge (Special Court for PCR Cases) Dindigul 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

/True Copy/

Sub Assistant Registrar

To

- 1.The Principal Sessions Judge cum
PCR Court, Dindigul.
- 2.The Inspector of Police,
Ottanchathiram Police Station,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S. D.Venkatesh, Advocate in SR.No 37638

TS/ 13.07.2015/2P - 5C

Cr1.O.P(MD) .No.12862 of 2015

09.07.2015