



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.07.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

Criminal Original Petition (MD) No.13180 of 2015

1.Babu

2.Sowthar @ Sowthirapandian

... Petitioners/Accused Nos.1 & 2

Vs

1.The Deputy Superintendent of Police,
Thirumangalam,
Madurai District.

2.The Inspector of Police,
Taluk Police Station,
Thirumangalam,
Madurai District.

(Crime No.181 of 2015)

... Respondents/Complainant

PRAYER: This Criminal Original petition is preferred under Section 482 Cr.P.C to direct the learned III Additional District and Sessions Court (Special Court for Scheduled Castes and Scheduled Tribes(Prevention of Atrocities) Act, 1989, Madurai, to accept the surrender of the petitioners/Accused and consider the petitioners' bail application and grant bail on the date of surrender itself in Crime No.181 of 2015 on the file of the second respondent police.

For Petitioners : Mr.D.Balamurugapandi

For Respondents : Mr.K.Anbarasan
Government Advocate (Crl.Side)

ORDER

The petitioners approach this Court to direct the learned III Additional District and Sessions Court(Special Court for Scheduled Castes and Scheduled Tribes(Prevention of Atrocities) Act, 1989, Madurai, to accept the surrender of the petitioners/Accused and consider the petitioners' bail application and grant bail on the date of surrender itself in Crime No.181 of 2015 on the file of the second respondent police.

2. The petitioners are alleged to have committed an offence under Sections 294(b), 324 of IPC r/w. Sec. 3(1)(X) of SC/ST(POA) 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



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(CO)

/True copy/

Sub Assistant Registrar

To

1.The III Additional District and Sessions Court
Special Court for Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act, 1989, Madurai.

2.The Deputy Superintendent of Police,
Thirumangalam,
Madurai District.

3.The Inspector of Police,
Taluk Police Station,
Thirumangalam,
Madurai District.

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

+1cc to Mr.D.Balamurugapandi,Advocate SR.No.38177

Cr1.O.P(MD) .No.13180 of 2015
14.07.2015

pm

PA/PRV/20.07.2015/2P/6C