



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.13220 of 2015

1.Elammal

2.Karthikkubaran

... Petitioners/Accused Nos.1 & 4

Vs

State rep. By
The Sub-Inspector of Police,
Mathur Police Station,
In Crime No.2 of 2015,
Pudukkottai,
Pudukkottai District.

... Respondent/Complainant

PRAYER: This Criminal Original petition is preferred under Section 482 Cr.P.C to direct the learned Principal District and Sessions Judge, P.C.R.Court, Pudukkottai under the SC/ST Act to consider the bail application on the surrender of the petitioners in connection with Crime No.2 of 2015, pending investigation on the file of the respondents on merits on the same day.

For Petitioners : Mr.G.Mathavan

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

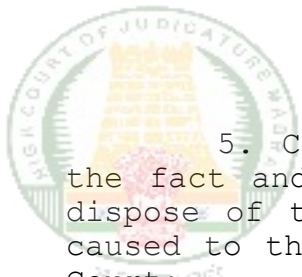
ORDER

The petitioners approach this Court to direct the learned Principal District and Sessions Judge, P.C.R.Court, Pudukkottai under the SC/ST Act to consider the bail application on the surrender of the petitioners in connection with Crime No.2 of 2015, pending investigation on the file of the respondents on merits on the same day.

2. The petitioners are alleged to have committed an offence under Sections 341, 294(b), 323, 506(ii) of IPC r/w. Sec. 3(1) ® & (s) 3(2)(v) (A) of SC/ST (POA) Amendment Ordinance Act, 2014. 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:-

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"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

/True Copy/

Sub Assistant Registrar

To

1.The Principal District and Sessions Judge, P.C.R.Court,
Pudukkottai under the SC/ST Act.

2.The Sub-Inspector of Police,
Mathur Police Station,
Pudukkottai,
Pudukkottai District

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

+1cc to M/S.G.Mathavan, Advocate in SR.No 38367

TS/ 20.07.2015/2P - 5C

Cr1.O.P(MD).No.13220 of 2015

14.07.2015