



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Criminal Original Petition (MD) No.13311 of 2015

1.Eswari
2.Ayyappan

... Petitioners/Accused A3 & A5

Vs

The State rep
The Inspector of Police,
Rayyappanpatti Police Station,
Theni District.
(Crime No.188 of 2015)

... Respondent/Complainant

PRAYER: This petition is preferred under Section 482 Cr.P.C to direct the learned Additional Sessions Judge cum PCR Court, Theni to dispose the bail application filed by the petitioners on the same day of their surrender before the above mentioned concerned Court in pending investigation of Crime No.188 of 2015 on the file of the respondent police.

For Petitioners : Mr.M.S.Jeyakarthik

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

ORDER

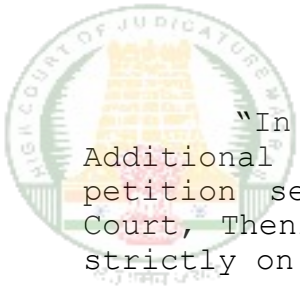
The petitioners approach this Court to direct the learned Additional Sessions Judge cum PCR Court, Theni to dispose the bail application filed by the petitioners on the same day of their surrender before the above mentioned concerned Court in pending investigation of Crime No.188 of 2015 on the file of the respondent police.

2. The petitioners are alleged to have committed an offence under Sections 309 of IPC @ Sections 147, 448, 342, 323 and 506(i) of I.P.C and Section 4 of TNPHW Act and Section 4 of TNP Exorbitant and Interest Act and Section 3(1)(r)(s) of SC/ST(POA) Amendment Ordinance 2014 and 3(2)(v) SC/ST (POA) Act 1959. 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.

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



"In the event of the petitioners surrendering before the learned Additional Sessions Judge cum PCR Court, Theni and their filing of petition seeking bail, the learned Additional Sessions Judge cum PCR Court, Theni 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 Additional Sessions Judge
cum PCR Court, Theni.
 - 2.The Inspector of Police,
Rayyappanpatti Police Station,
Theni District.
 - 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- +1cc to Mr.M.S.Jeyakarthick, Advocate, SR No.38629

Cr1.O.P(MD).No.13311 of 2015
15.07.2015

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