



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.07.2015

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CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Criminal Original Petition (MD) No13483 of 2015

Saraswathi

... Petitioner/Accused No.2

Vs

1.The Deputy Superintendent of Police,
Uthamapalayam Taluk,
Theni District.

2.The Inspector of Police,
Royappanpatti Police Station,
Royappanpatti,
Theni District.

... Respondents/Complainant

PRAYER: This petition is preferred under Section 482 Cr.P.C to direct the learned Principal Sessions Judge cum Special Judge for P.C.R. Cases, Theni District to consider the bail application of the petitioner/accused No.2 if any filed by them on her surrender on the same day in Crime No.188 of 2015 on the file of the second respondent police.

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

ORDER

The petitioner approaches this Court to direct the learned Principal Sessions Judge cum Special Judge for P.C.R. Cases, Theni District to consider the bail application of the petitioner/accused No.2 on her surrender on the same day in Crime No.188 of 2015 on the file of the second respondent police.

2. The petitioner is alleged to have committed an offence under Sections 147, 448, 342, 323, 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act and Tamil Nadu Prohibition of Exorbitant Interest Act and 3(1)(r)(s) of SC/ST (POA) Amendment Ordinance Act, 2014 and Section 3(2)(v) of SC/ST (POA) 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 her 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 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 petitioner surrendering before the lower Court and her 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 Principal Sessions Judge cum Special Judge for P.C.R. Cases,
Theni District.
- 2.The Deputy Superintendent of Police,
Uthamapalayam Taluk,
Theni District.
- 3.The Inspector of Police,
Royappanpatti Police Station,
Royappanpatti,
Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc Mr. R.SRINIVASAN, Advocate Sr.No.39787

PM

AA/23.07.2015/2p-6c/