



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) No.13511 of 2015

1.Anil @ Beer Mohaideen @ Beer Mohammed

2.Sheik Ali

... Petitioners/(Accused rank Not Known)

Vs

The State,

By the Inspector of Police,

Pappakudi Police Station,

Tirunelveli District.

(Crime No.60 of 2013)

... Respondent/Complainant

PRAYER: This petition is preferred under Section 482 Cr.P.C to direct the learned II Additional District and Sessions Judge (Special Court for PCR Cases), Tirunelveli to consider their bail application on the same day of their surrender in respect of Crime No.60 of 2015 on the file of the respondent, pending investigation.

For Petitioners : Mr.D.Venkatesh

For Respondent : Mr.K.Anbarasan

Government Advocate (Crl.Side)

ORDER

The petitioners approach this Court to direct the learned II Additional District and Sessions Judge(Special Court for PCR Cases), Tirunelveli to consider their bail application on the same day of their surrender in respect of Crime No.60 of 2015 on the file of the respondent, pending investigation.

2. The petitioners are alleged to have committed an offence under Sections 147, 148 and 324 of IPC r/w Section 3 of the TNPPDL Act and Section 3(1)(x) of the SC/ST(Prevention of Atrocities) 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 said request.

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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 II Additional District and Sessions Judge
(Special Court for PCR Cases),
Tirunelveli

2.The Inspector of Police,
Pappakudi Police Station,
Tirunelveli District.

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

+1cc Mr. D.Venkatesh, Advocate Sr.No. 39556

pm

AA/23.07.2015/2p- 5c/

Crl.O.P (MD) .No.13511 of 2015
20.07.2015