

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 20.07.2015****CORAM:****THE HONOURABLE MR.JUSTICE M.M.SUNDRESH****Criminal Original Petition (MD) No.13565 of 2015**

Gowri

... Petitioner/Accused

Vs

The State,
Rep. By 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 of the bail application filed by the petitioner on the same day of her surrender before the above mentioned concerned Court in pending investigation of Crime No.188 of 2015 on the file of the respondent police.

For Petitioner : Mr.M.S.Jeyakarthik

For Respondent : Mr.K.Anbarasan

Government Advocate (Crl.Side)

ORDER

The petitioner approaches this Court to direct the learned Additional Sessions Judge cum PCR Court, Theni to dispose of the bail application filed by the petitioner on the same day of her 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 petitioner is alleged to have committed an offence under Sections 309 I.P.C @ 147, 448, 342, 323, 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 Act, 2014 and 3(2)(v) SC/ST(POA) Act 1959. It is stated by the petitioner that she 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.



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(AE)

/True copy/

Sub Assistant Registrar

pm

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.Jeyakarthik Advocate in Sr NO.39927

Crl.O.P(MD).No13565 of 2015
20.07.2015

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