



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:23.07.2015

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Criminal Original Petition (MD) No.13938 of 2015

R.Manoharan

... Petitioner/Sole Accused

Vs

State through
The Inspector of Police,
Chathirakudi Police Station,
Ramanathapuram District.
In Crime No.109 of 2009

... Respondent/Complainant

PRAYER: This petition is preferred under Section 482 Cr.P.C to direct the learned Principal District Sessions Judge (PCR Court), Ramanathapuram to consider the petitioner's warrant recall application on the same day of surrender which would filed by the petitioner in connection with S.C.No.151 of 2010 on the file of the learned District and Sessions Judge, Ramanathapuram District.

For Petitioner : Mr.R.Aravind Raj

For Respondent : Mr.K.Anbarasan

Government Advocate (Crl.Side)

ORDER

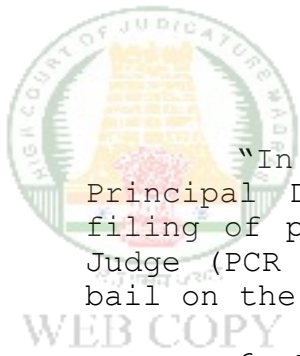
The petitioner approaches this Court to direct the learned Principal District Sessions Judge (PCR Court), Ramanathapuram to consider the petitioner's warrant recall application on the same day of surrender which would filed by the petitioner in connection with S.C.No.151 of 2010 on the file of the learned District and Sessions Judge, Ramanathapuram District.

2. The petitioner is alleged to have committed an offence under Section 3(i) & (x) of PCR 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 his 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 learned Principal District Sessions Judge (PCR Court), Ramanathapuram 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 learned Principal District Sessions Judge (PCR Court), Ramanathapuram and his filing of petition seeking bail, the learned Principal District Sessions Judge (PCR Court), Ramanathapuram 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.

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Sd/-

Assistant Registrar[CO]

/True copy/

Sub Assistant Registrar

To

- 1.The Principal District Sessions Judge
(PCR Court), Ramanathapuram.
- 2.The Inspector of Police,
Chathirakudi Police Station,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Cr1.O.P(MD).No.13938 of 2015

Dated:23.07.2015

2P/4C

RPB/KBM/SAR-II 29.07.2015