



WEB COPY

1

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.07.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

Criminal Original Petition (MD) No.14538 of 2015

Kallathiyan

.. Petitioner/Accused rank not known
Vs.

The State rep. by its Inspector of Police,
Tirunelveli Taluk Police Station,
Tirunelveli District.(Cr.No.283 of 2014) .. Respondent/Complainant

PRAYER: This petition is preferred under Section 482 Cr.P.C to direct the learned II Additional Sessions Judge cum PCR Judge, Tirunelveli to consider the bail application of the petitioner on the same day of his surrender in connection with the Crime No.283/2014 on the file of Respondent police.

For Petitioner : Mr.Jeyakarthik

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

ORDER

The petitioner approaches this Court to direct the learned II Additional Sessions Judge cum PCR Judge, Tirunelveli to accept the surrender of the petitioner and consider the bail application on the same day on merits in relating in Crime No.283/2014 pending investigation on the file of the respondent.

2. The petitioner is alleged to have committed offences under Sections 147, 148, 294(b), 506(ii) of IPC and Section 3 of TNPPDL Act r/w 3(1)(r)(s) and 3(2)(vi) of SC/ST (POA) Amendment Ordinance, 2014. 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 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 his 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 Sessions Judge cum PCR Judge, Tirunelveli.
2. The Inspector of Police,
Tirunelveli Taluk Police Station, Tirunelveli.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.Jeyakarthik, Advocate SR.No.42995

CrI.O.P(MD).No.14538 of 2015
29.07.2015

ses

PA/AMF/SAR-I/04.08.2015/2P/5C