



WEB COPY

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.14560 of 2015

1.Rakappan
2.Karuppasamy

... Petitioners/A1 & A2

Vs

State rep. by the Inspector of Police,
Sivagiri Police Station, Sivagiri,
Tirunelveli Dist.
(Crime No.218 of 2015)

..Respondent/Complainant

PRAYER: This petition is preferred under Section 482 Cr.P.C to direct the learned II Additional District Judge (PCR), Tirunelveli to accept the surrender of the petitioners and consider the bail application to be filed by the petitioners on the same day on merits in Cr.No.218/2015 on the file of the respondent police.

For Petitioners : Mr.V.Sasikumar

For Respondent : Mr.K.Anbarasan

Government Advocate (Crl.Side)

ORDER

The petitioners approach this Court to direct the learned II Additional District Judge (PCR), Tirunelveli to consider the bail application on the same day in the event of the petitioners surrender before the learned II Additional District Judge (PCR), Tirunelveli in connection with Crime No.218 of 2015 pending on the file of the respondent police.

2. The petitioners are alleged to have committed offences under Sections 341, 294(b), 506(i) of IPC r/w 3(i)(x) of SC/ST (POA) 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.

<https://hcservices.ecourts.gov.in/hcservices/>

4. The learned Government Advocate (Crl. Side) would oppose the said request.



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 (C.O.)

/True Copy/

Sub Assistant Registrar

To

- 1.The II Additional District Judge (PCR), Tirunelveli.
2. Inspector of Police, Sivagiri Police Station, Sivagiri, Tirunelveli Dist.
- 3.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.V.Sasikumar, Advocate Sr.No.43105

akm/04.08.15 /2p-5c/

Cr1.O.P(MD).No. 14560 of 2015