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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.07.2015

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Crl.O.P(MD)No.14714 of 2015

1.D.Pandi @ Pandiaraj
2.G.Mathi @ Mahalingam ... Petitioners/Accused Nos.3 & 4

Vs

1.The Deputy Superintendent of Police,
Rajapalayam,
Virudhunagar District.

2.The Sub-Inspector of Police,
Rajapalayam South Police Station,
Rajapalayam,
Virudhunagar District.
In Crime No.411 of 2015 ... Respondents/Complainants

PRAYER:-
Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 praying to direct the learned Sessions Judge cum PCR Court, Virudhunagar District at Srivilliputhur, accept the surrender and to consider the bail application filed by the petitioners on the same day in accordance with law in Crime No.411 of 2015 on the file of the respondent .

For Petitioners : Mr.P.Athimoola Pandian
For Respondents : Mr.K.Anbarasan
Government Advocate (Crl. Side)

ORDER

The petitioners approach this Court with a prayer to direct the learned Sessions Judge cum PCR Court, Virudhunagar District at Srivilliputhur, to accept the surrender and to consider the bail application filed by the petitioners on the same day in accordance with law in Crime No.411 of 2015 on the file of the respondent.

2. The petitioners are alleged to have committed an offences under Sections 147, 294(b), 323, 506(i) of the Indian Penal Code and also under Sections 3(1)(r)(s) and 3(II)(V)(a) of Scheduled Castes and Scheduled Tribes, Amendment Ordinance Act, 2014. 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 petition for bail may be ordered to be considered on the same day.

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

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5. Considering the facts and circumstances of the case and also considering the submissions of the learned counsel for the petitioners 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 learned Sessions Judge cum PCR Court, Virudhunagar District at Srivilliputhur and their filing of petition seeking bail, the learned Sessions Judge cum PCR Court, Virudhunagar District at Srivilliputhur 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(Crl.side)

/TRUE COPY/

Sub Assistant Registrar

To

1.The Sessions Judge cum PCR Court,
Virudhunagar District at Srivilliputhur

2.The Deputy Superintendent of Police,
Rajapalayam,
Virudhunagar District.

3.The Sub-Inspector of Police,
Rajapalayam South Police Station,
Rajapalayam,
Virudhunagar District.

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

+1 CC TO MR.P.ATHIMOOLAPANDIAN, ADVOCATE, SR NO:43833

PS
JAM/10.8.2015/2P-6C

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