



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.14846 of 2015

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- 1.Duraikannan
- 2.Panchavarnam
- 3.Pandi

... Petitioners/Accused Nos.1 to 3

-Vs-

1.The Deputy Superintendent of Police,
Thirumangalam,
Madurai District.

2.The Inspector of Police,
Kallikudi Police Station,
Madurai District.
Crime No.134 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 III Additional District and Sessions Court (Special Court for Scheduled Castes and Scheduled Tribes, Prevention of Atrocities) Act, 1989, Madurai, to accept the surrender of the petitioners/accused and consider the petitioners' bail application and grant bail on the date of surrender itself in Crime NO.134 of 2015 on the file of the respondent No.2. Police.

For Petitioners	: Mr.D.Balmurugapandi
For Respondents	: Mr.K.Anbarasan
	Government Advocate (Crl. Side)

ORDER

The petitioners approach this Court with a prayer to direct the learned III Additional District and Sessions Court (Special Court for Scheduled Castes and Scheduled Tribes, Prevention of Atrocities) Act, 1989, Madurai, to accept the surrender of the petitioners/accused and consider the petitioners' bail application and grant bail on the date of surrender itself in Crime NO.134 of 2015 on the file of the respondent No.2.

2. The petitioners are alleged to have committed an offences under Sections 294(b), 427, 323, 506(ii) of the Indian Penal Code read with Section 3(1)(X) of Scheduled Castes and Scheduled Tribes, Prevention of Atrocities 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 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.

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 III Additional District and Sessions Court (Special Court for Scheduled Castes and Scheduled Tribes, Prevention of Atrocities) Act, 1989, Madurai and their filing of petition seeking bail, the learned III Additional District and Sessions Court (Special Court for Scheduled Castes and Scheduled Tribes, Prevention of Atrocities) Act, 1989, Madurai 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(Writs)

/True copy/

Sub Assistant Registrar/

ps

To

1.The III Additional District and Sessions Court
(Special Court for Scheduled Castes
and Scheduled Tribes), Madurai.

2.The Deputy Superintendent of Police,
Thirumangalam, Madurai District.

3.The Inspector of Police,
Kallikudi Police Station, Madurai District.

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

+one cc to Mr. D.Balamurugapandi, Advocate, SR.No.42771.

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