



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.09.2015

CORAM

THE HONOURABLE MRS.JUSTICE S.VIMALA

Cr1.O.P. (MD)No.18498 of 2015

Jebadurai

.. Petitioner/Accused No.4

Vs.

State through
The Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.
(Crime No. 157/2015)

.. Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the learned II-Additional Sessions Court, Tirunelveli District, Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act Cases, to consider the bail application of the petitioner in Crime No. 157 of 2015 on the same date of surrender and dispose the same on merits in accordance with law.

For Petitioner : Mr.S.Lakshmikanth

For Respondents : Mr.P.Kandasamy

Government Advocate (Cr1. Side)

O R D E R

This petition has been filed to direct the II-Additional Sessions Judge, Special Court Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act Cases, Tirunelveli District, to accept the surrender of the petitioner and to consider the petitioner's bail application and grant bail on the date of surrender itself in Crime No.157 of 2015 on the file of the respondent.

2. The petitioner herein is alleged to have committed offences under Sections 147, 448, 294(b), 323, 336, 324 and 506(ii) of I.P.C. and Section 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1995. It is stated by the petitioner that he is innocent.

3. The case of the prosecution is that there is a dispute on account of the claim of ownership over a silver chain. The defacto complainant has stated that he has been working along with these accused persons in a mill. On 13.09.2015, these accused persons are stated to have been started a scuffle with the defacto complainant and during that occurrence they were stated to have caused beatings to the defacto complainant.



4. 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. He further submitted that the first accused had already been released on bail.

5. The learned Government Advocate (Crl.Side) submitted that nobody has got injured and nobody is hospitalised.

6. Considering the submission of the learned counsel for the petitioner and also the facts and circumstances of the case, the following direction is issued:

In the event of the petitioner surrendering before the learned II-Additional Sessions Judge, Special Court for SC/ST Act, 1989, Tirunelveli District and his filing of petition seeking bail, the learned II-Additional Sessions Judge, Special Court for SC/ST Act, 1989, Tirunelveli District shall dispose of the said petition for bail on the same day strictly on merits and in accordance with law.

7. The Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar (C.O.)

/True Copy/

Sub Assistant Registrar

To

1. The II-Additional Sessions Judge,
Special Court of SC/ST Act,
Tirunelveli District.

2. The Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.

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

+1cc to Mr.S.Lakshmikanth, Advocate Sr.No.57275

akm/30.09.2015 /2p-5c/

Order made in
Cr1.O.P. (MD) No.18498 of 2015
25.09.2015