



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.10.2015

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Cr1.O.P(MD).No.19759 of 2015

1.Sigappi
2.Sasikala

: Petitioners/Accused No. 2 & 3

Vs.

State, represented by
The Deputy Superintendent of Police,
Sivagangai,
Sivagangai District
(Crime No.349 of 2014)

: Respondent/Complainant.

PRAYER: Criminal Original Petition is filed under Section 482 Cr.P.C to direct the Special Judge for PCR Cases, Sivagangai, Sivagangai District, to consider the bail application on the same day of surrender in Crime No.349 of 2014, on the file of the Deputy Superintendent of Police, Sivagangai, Sivagangai District, for the alleged offence under Section 294(b), 323, 379(N.H) of IPC., and Section 3(i)(s)(r) of SC/ST POA Amendment Ordinance Act, 2004.

For Petitioners : Mr.P.Subbuaraj

For Respondent : Mr.P.Kannithevan

Government Advocate (Cr1.Side)

ORDER

Heard both sides.

2. The petitioners, who apprehend arrest for the offences punishable under Sections 294(b), 323, 379(N.H) of IPC., and Section 3(i)(s)(r) of SC/ST POA Amendment Ordinance Act, 2004, in Crime No.349 of 2014, on the file of the respondent police, moved this petition seeking a direction to the learned Special Judge for PCR Cases, Sivagangai, Sivagangai District, to accept the surrender of the petitioners and consider their bail application on the same day on merits.

3. Perused the records.

4. The learned Government Advocate (Criminal side) would submit that charge sheet has been filed

5. The offences complained of, other than the offence under the Special enactment, may not be serious in nature warranting initial detention in jail, even before considering the bail application.

6. Therefore, the learned Special Judge for PCR Cases,



Sivagangai, Sivagangai District, is directed to accept the surrender of the petitioners and consider their bail application on the very same day purely on the basis of merits and in accordance with law.

7. Accordingly, this Criminal Original Petition is ordered.

Sd/-

Assistant Registrar(co)

/True Copy/

Sub Assistant Registrar.

To

- 1.The Special Judge for PCR Cases,
Sivagangai, Sivagangai District.
- 2.The Deputy Superintendent of Police,
Sivagangai,
Sivagangai District
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.P.Subbaraj,Advocate, SR.No. 60427.

Order made in
Crl.O.P(MD).No.19759 of 2015
Dated:-
13.09.2015

AM/16.10.2015/DP/SAR-II/2P/5C