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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.12.2015

CORAM:

THE HONOURABLE MR.JUSTICE **S.VAIDYANATHAN**

Cr1.O.P(MD)No.22537 of 2015

1.Prabhu
2.Ravipandi

: Petitioners

Vs.

The State by
The Inspector of Police,
Varusanadu Police Station,
Theni District
(Crime No.203 of 2015)

: Respondent

PRAYER: Criminal Original Petition is filed under Section 482 Cr.P.C., praying to direct the Principal District Sessions Judge (PCR Act Cases), Theni to consider their bail application on the same day of their surrender in respect of Crime No.203 of 2015 on the file of the respondent, pending investigation.

For Petitioners	: Mr.M.Subash Babu
For Respondent	: Mr.A.P.Balasubramani, Government Advocate (Cr1.Side).

ORDER

The petitioners, who apprehend arrest for the offences punishable under Sections 147, 148, 324 and 506(ii) of IPC., r/w Section 3(1)(X) of SC/ST Act., in Crime No.203 of 2015 on the file of the respondent police, move this petition seeking a direction to the Principal District Sessions Judge (PCR Act Cases), Theni, to accept the surrender of the petitioners and consider their bail application on the same day on merits.

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

2. I have heard the counsel appearing on either side and perused the records.



3. The Government Advocate (Criminal side) strongly opposed the relief sought for by the petitioner.

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4. A cursory look at the offences would reveal that some of the offences are grave in nature, including the one registered under the Special Enactment. Therefore, it is for the Trial Court to consider as to whether initial detention of the petitioners is absolute and warranted on their surrender before it, or not.

5. Taking note of the submission made by the counsel for the petitioner, the Principal District Sessions Judge (PCR Act Cases), Theni 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.

6. Accordingly, this Criminal Original Petition is ordered.

Sd/-

Assistant Registrar (R)

/True Copy/

Sub Assistant Registrar

To

1. The Principal District Sessions Judge (PCR Act Cases), Theni
2. The Inspector of Police, Varusanadu Police Station, Theni District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.M.Subash, Advocate Sr.No.69163

Akm/08.12.2015/ 2p- 5c/SKN/SK/SAR-I

ORDER MADE IN
Cr1.O.P(MD)No.22537 of 2015
02.12.2015