



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.12.2015

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Crl.O.P(MD)No.22562 of 2015

1.Prabhu
2.Ramesh

: Petitioners

Vs.

The State by
The Inspector of Police,
Varusanadu Police Station,
Theni District
(Crime No.206 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.206 of 2015 on the file of the respondent, pending investigation.

For Petitioners : Mr.M.Subash Babu

For Respondent : Mr.A.P.Balasubramani,
Government Advocate (Crl.Side).

ORDER

The petitioners, who apprehend arrest for the offences punishable under Sections 147, 148, 341, 323 and 324 of IPC., r/w Section 3(1) of TNPPDL Act and Section 3(1)(x) of SC/ST Act., in Crime No.206 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.

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.

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.



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

//True Copy//

Sub Assistant Registrar
Madurai Bench of Madras High Court,
Madurai.

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 M/S.M.Subash Babu , Advocate in SR.No. 69164

TS/08.12.2015/2P-5C/NGM-SS/SAR - I

ORDER MADE IN
Cr1.O.P (MD) No.22562 of 2015

02.12.2015