



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.12.2015

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Crl.O.P(MD)No.22776 of 2015

1.Murugan
2.Subbaiah

: Petitioners

Vs.

The Inspector of Police,
Alangulam Police Station,
Alangulam
Tirunelveli District
(Crime No.545 of 2015)

: Respondent

PRAYER: Criminal Original Petition is filed under Section 482 Cr.P.C., praying to direct the learned 2nd Additional Sessions Judge for SC/ST (Prevention of Atrocities) Act, PCR Court, Tirunelveli, to consider the bail application of the petitioners on the same day of their surrender in Crime No.545 of 2015 on the file of the respondent police.

For Petitioners : Mr.R.Johnsathyan

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

ORDER

The petitioners, who apprehend arrest for the offences punishable under Sections 294(b), 323, 427, 506(ii) r/w Section 3(1)(X) of SC/ST Act., in Crime No.545 of 2015 on the file of the respondent police, move this petition seeking a direction to the 2nd Additional Sessions Judge for SC/ST (Prevention of Atrocities) Act, PCR Court, Tirunelveli, 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, 2nd Additional Sessions Judge for SC/ST (Prevention of Atrocities) Act, PCR Court, Tirunelveli, 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 (CS-II)

/True copy/

Sub Assistant Registrar

To

1. The II Additional Sessions Judge for SC/ST
(Prevention of Atrocities) Act, PCR Court, Tirunelveli

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

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

+1cc to Mr. R. Johnsathyan, Advocate SR.NO.68717

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ORDER MADE IN
Cr1.O.P (MD) No.22776 of 2015
02.12.2015