



WEB COPY

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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.22823 of 2015

Raja : Petitioner

Vs.

The State by
The Inspector of Police,
Karaikudi South Police Station,
Sivagangai District
(Crime No.566 of 2015)

: Respondent

PRAYER: Criminal Original Petition is filed under Section 482 Cr.P.C., praying to direct the Principal District and Sessions Judge (Special Court for PCR Cases), Sivagangai to consider his bail application on the same day of his surrender in respect of Crime No.566 of 2015 on the file of the respondent pending investigation.

For Petitioners : Mr.D.Venkatesh

For Respondent : Mr.A.P.Balasubramani
Government Advocate (Cr1.Side)

ORDER

The petitioner, who apprehends arrest for the offences punishable under Sections 341, 294(b), 323, 324 & 506(ii) and Section 3(1)(x) of the Scheduled Caste and Schedule Tribes (Prevention of Atrocities) Act., 1989 in Crime No.566 of 2015, on the file of the respondent police, moved this petition seeking a direction to the Principal District and Sessions Judge (Special Court for PCR Cases), Sivagangai, to accept the surrender of the petitioner and consider the bail application on the same day on merits.

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

3. The learned 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 petitioner is absolute and warranted on his surrender before it, or not.

5. Therefore, the Principal District and Sessions Judge (Special Court for PCR Cases), Sivagangai, is directed to accept the surrender of the petitioner and consider his bail application on the very same day, purely on merits and in accordance with law.

6. Accordingly, this Criminal Original Petition is ordered.

Sd/-

Assistant Registrar (C.S. -I)

/True Copy/

Sub Assistant Registrar

To

1.The Principal District and Sessions
Judge (Special Court for PCR Cases),
Sivagangai

2.The Inspector of Police,
Karaikudi South Police Station,
Sivagangai District

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

+lcc to Mr.D.Venkatesh, Advocate Sr.No.68898

akm/07.12.15 /2p-5c/ jgp/dp /SAR-I

Order made in
Crl.O.P(MD)No.22823 of 2015
Dated:- 02.12.2015