



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.12.2015

CORAM:

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

Cr1.O.P(MD)No.22966 of 2015

1.Nagarajan
2.Pushpam

..Petitioners/Accused No.2

Vs.

The State represented by
The Inspector of Police,
D1-Tallakulam Police Station,
Madurai City
(Crime No.685 of 2015)

: Respondent/Respondent

PRAYER: Criminal Original Petition is filed under Section 482 Cr.P.C., praying to direct the learned III Additional District and Sessions Judge (PCR Court), Madurai, to consider the bail application to be filed by the petitioners on the same day of its filing on their surrendering in connection with the case in Crime No.685 of 2015 on the file of the Inspector of Police, D-1 Tallakulam Police Station, Madurai City.

For Petitioners : Mr.R.Anand
For Respondent : Mr.A.P.Balasubramani,
Government Advocate (Cr1.Side).

O R D E R

The petitioners, who apprehend arrest for the offences punishable under Sections 294(b) AND 323 of IPC., and Section 4 of the Tamil Nadu Prohibition of Charging Exorbitant Act and Section 3 (1)(x) of the Scheduled Cast and Scheduled Tribe (Prevention of Atrocities) Act, in Crime No.685 of 2015 on the file of the respondent police, move this petition seeking a direction to the III Additional District and Sessions Judge (PCR Court), Madurai, to accept the surrender of the petitioners and consider their bail application on the same day on merits.

2.The learned Government Advocate (Criminal side) strongly opposed the relief sought for by the petitioners.

3.I have heard the learned counsel appearing on either side.

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 learned counsel for the petitioners, the III Additional District and Sessions Judge (PCR Court), Madurai, 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 (C.O.)

/True Copy/

Sub Assistant Registrar

To

1. The III Additional District and Sessions Judge,
PCR Court, Madurai.

2. The Inspector of Police,
D1-Tallakulam Police Station,
Madurai City

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

+1cc to Mr. R. Anand, Advocate SR.No.69888

Akm/17.12.2015/ 2p- 5c/NGM/SS/SAR-I

ORDER MADE IN
Cr1.O.P (MD) No.22966 of 2015
04.12.2015