



WEB COPY

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2015

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Cr1.O.P(MD)No.23612 of 2015

Sudharsan

: Petitioner/Accused

Vs.

The Inspector of Police,
Sirkali Police Station,
Nagapattinam District.
In Crime No.836 of 2015

: Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 482 Cr.P.C., praying to direct the learned 1st Additional District and Sessions Judge (PCR Court), Thanjavur, to consider his bail application to be filed by the petitioner on his surrender in Cr.No.836/2015 on the file of respondent police on the same day on merits.

For Petitioner : Mr.A.Arun Prasad

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

ORDER

The petitioner, who apprehends arrest for the offences punishable under Sections 147, 148, 341, 294(b), 324, 427 and 506(ii) of IPC., r/w.Section 3(i)(x) of SC/ST Act, in Crime No.836 of 2015, on the file of the respondent police, moved this petition seeking a direction to the 1st Additional District and Sessions Judge (PCR Court), Thanjavur, 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.

5.Therefore, the 1st Additional District and Sessions Judge (PCR Court), Thanjavur, 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 1st Additional District and Sessions Judge (PCR Court),
Thanjavur,

2.The Inspector of Police,
Sirkali Police Station, Nagapattinam District.

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

+1cc to Mr.A.Arun Prasad, Advocate SR.No.71469

Akm/23.12.2015/ 2p- 5c/NGM/SS/SAR-II

ORDER MADE IN
Cr1.O.P(MD)No.23612 of 2015
14.12.2015