



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2015

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

CrI.O.P(MD)No.23629 of 2015

Ajithkumar

:Petitioner/Accused
(Rank not known)

Vs.

The Inspector of Police,
Thiruvenkadu Police Station,
Nagapattinam District
In Crime No.503 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.503/2015 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 (CrI.Side).

ORDER

The petitioner, who apprehends arrest for the offences punishable under Sections 147, 341, 294(b) and 323 of IPC., and Section 3(i) of PPDL Act and Section 3(i)(x) of SC/ST Act, 1989 in Crime No.503 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(CO)

/True copy/



To

1.The 1st Additional District and
Sessions Judge (PCR Court),
Thanjavur,

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

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

+1cc to Mr.A.Arunprasad, Advocate in SR.71468

Cr1.O.P (MD) No.23629 of 2015
14.12.2015

MPK

PBK/DP/SAR-I 18.12.2015 ::2P-5C: