



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2015

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Crl.O.P(MD)No.23937 of 2015

1.Murugesan
2.Gomathi
3.Sivakumar @ Kumar,
4.Murugan

: Petitioners/Accused 1 to 4

Vs.

1.State rep. by
The Deputy Superintendent of Police,
Thirumangalam Police Station,
Madurai District.

2.The Inspector of Police,
Town Police Station,
Thirumangalam,
Madurai District.

(In Crime No.606 of 2015)

: Respondents/Complainants

PRAYER: Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the Third Additional District & Sessions Judge-cum-PCR (SC/ST Act) Court, Madurai, Madurai District, to consider the bail application on same day on their surrender in connection with Crime No.606 of 2015 on the file of the respondent police.

For petitioners: Mr.D.Balamuruga Pandi

For Respondents: Mrs.S.Prabha

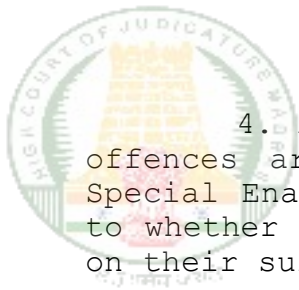
Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest for the offences punishable under Section 506(i) of IPC r/w. 3(1)(X) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 in Crime No.606 of 2015, on the file of the respondent police, moved this petition seeking a direction to the Third Additional District & Sessions Judge-cum-PCR (SC/ST Act) Court, Madurai, Madurai District, to accept the surrender of the petitioners and consider the bail applications on the same day on merits.

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

3. The Government Advocate (Criminal side) submitted that no one is injured in the alleged occurrence and however, she strongly opposed the relief sought for by the petitioners.



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. Therefore, the Third Additional District & Sessions Judge-cum-PCR (SC/ST Act) Court, Madurai, Madurai District, is directed to accept the surrender of the petitioners and consider their bail applications on the very same day, purely on merits and in accordance with law.

6. Accordingly, this Criminal Original Petition is ordered.

Sd/-

Assistant Registrar(Per.Admn)

/True Copy/

Sub Assistant Registrar.

To

1.The Third Additional District &
Sessions Judge-cum-PCR (SC/ST Act) Court,
Madurai, Madurai District,

2.The Deputy Superintendent of Police,
Thirumangalam Police Station, Madurai District.

3.The Inspector of Police,
Town Police Station,
Thirumangalam, Madurai District.

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

+1CC to Mr.D.BalamurugaPandi, Advocate, SR.No. 71914.

Order made in
Crl.O.P(MD)No.23937 of 2015
dated:-
16.12.2015

AM/28.12.2015/SK.SKN/SAR-I/2P/6C