



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.12.2015

CORAM:

THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN

Cr1.O.P.(MD)No.24159 of 2015

C.Ajeeth

... Petitioner / Accused No.3

Vs.

State rep. By the Inspector of Police,
Othakadai Police Station,
Madurai District.
(Crime No.657 of 2015)

... Respondent / Complainant

PRAYER: Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the learned III Additional Sessions Judge cum SC / ST (Prevention of Atrocities) Act, (PCR Unit), Madurai to consider the bail application of the petitioner on the same day of his surrender in Crime No.657 of 2015 on the file of the respondent Police.

For Petitioner : Mr.C.M.Mari Chelliah Prabhu

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

O R D E R

The petitioner, who apprehends arrest for the offences punishable under Sections 147, 148, 341, 294(b), 324 and 506(ii) I.P.C. r/w Section 3(1)(x) of SC/ST Act, in Crime No.657 of 2015, on the file of the respondent police, move this petition seeking direction to the learned III Additional Sessions Judge cum SC / ST (Prevention of Atrocities) Act, (PCR Unit), Madurai, to consider the bail application filed by the petitioner on the same day of his surrender.

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

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 petitioner is absolute and warranted on their surrender before it or not.

5.Taking note of the submission made by the learned counsel for the petitioner, the III Additional Sessions Judge cum SC / ST (Prevention of Atrocities) Act, (PCR Unit), Madurai, is directed to accept the surrender



of the petitioner 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 (CO)

/True copy/

Sub Assistant Registrar

To

1. The III Additional Sessions Judge cum SC / ST
Prevention of Atrocities) Act,
(PCR Unit), Madurai

2. The Inspector of Police,
Othakadai Police Station,
Madurai District.

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

+1 CC to Mr.C.M.Marichelliah Prabhu, Advocate, SR No.76004

Crl.O.P. (MD) No.24159 of 2015
22.12.2015

nbg

SH/GSV-AN/SAR-I:31.12.2015:2P/5C