



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.12.2015

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Crl.O.P(MD)No.24173 of 2015

Sivashanmugasundaram

:Petitioner

Vs.

The Inspector of Police,
West Police Station,
Thanjavur District
(Crime No.643 of 2015)

:Respondent

PRAYER: Criminal Original Petition is filed under Section 482 Cr.P.C., praying to direct the II Additional District and Sessions Court (PCR), Thanjavur, to consider the bail application to be filed by the petitioner on the same day on his surrender in connection with Crime No.643 of 2015 on the file of the respondent.

For Petitioner : Mr.G.Karnan

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

ORDER

The petitioner, who apprehends arrest for the offences punishable under Sections 294(b), 452, 506(ii) of IPC., r/w Section 3(1) of PPDL Act and Section 3(1)(x) of SC/ST Act, in Crime No.643 of 2015, on the file of the respondent police, moved this petition seeking a direction to the II Additional District and Sessions Court (PCR), 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 II Additional District and Sessions Judge (PCR), 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(W)



To

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

2.The Inspector of Police,
West Police Station,
Thanjavur District

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

+lcc to Mr.G.Karnan, Advocate in SR.72808

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MPK

PBK/SK-SKN/SAR-II 21.12.2015 ::2P-5C:(IT)