



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.12.2015

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **S.VAIDYANATHAN**
Cr1.O.P(MD)No.24202 of 2015

1.Kalaiyarasi
2.Arunpandian
3.Meenakshi

: Petitioners

Vs.

State represented by
The Inspector of Police,
Silaimaan Police Station,
Madurai District
In Cr.No.463 of 2015

: Respondent

PRAYER: Criminal Original Petition is filed under Section 482 Cr.P.C., praying to direct the learned 3rd Additional Sessions Judge (PCR), Madurai, Madurai District, to accept the surrender of the petitioners and consider the bail application on merits on the date of surrender in Cr.No.463 of 2015 on the file of the Inspector of Police, Silaimaan Police Station, Madurai District.

For Petitioners	: Mr.S.Senthil Sankara Nathakumar
For Respondent	: Mr.A.P.Balasubramani, Government Advocate (Cr1.Side).

O R D E R

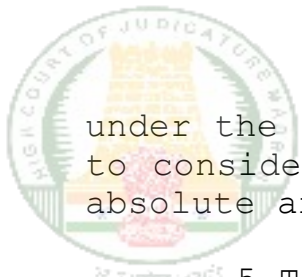
The petitioners, who apprehend arrest for the offences punishable under Sections 147, 323, 427 and 506(i) of IPC., and Section 4 of TNPWH Act and Sec.11 of POSCO Act r/w Section 3(1)(x) of SC/ST Prevention of Atrocities Act, 1989, in Crime No.463 of 2015 on the file of the respondent police, moved this petition seeking a direction to the 3rd Additional Sessions Judge (PCR), Madurai, Madurai District, to accept the surrender of the petitioners and consider their bail application on the same day on merits.

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

3.I have heard the learned counsel appearing on either side.

<https://hcservices.ecourts.gov.in/hcservices/>

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 or not.

5. Taking note of the submission made by the learned counsel for the petitioners, the 3rd Additional Sessions Judge (PCR), Madurai, Madurai District, is directed to accept the surrender of the petitioners 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 (RTI)

/True copy/

Sub Assistant Registrar

MPK

To

1. The 3rd Additional Sessions Judge (PCR),
Madurai, Madurai District.

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

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

+one cc to Mr. S. Senthil Sankaranathakumar,
Advocate in SR.No.75590/15

MPK

CSL/NGM-SS/04.01.2016/2P/5C

ORDER MADE IN
Crl.O.P (MD) No.24202 of 2015
18.12.2015