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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED : 22.12.2015

CORAM:

THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN  
Crl.O.P. (MD)No.24215 of 2015

... Petitioner

Vs.

1.The Deputy Superintendent of Police,  
Umachikulam Circle,  
Madurai District.

2.The Inspector of Police,  
Y.Othakadai Police Station,  
Y.Othakadai,  
Madurai District. (Crime No.657 of 2015)

... Respondents

PRAYER: Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the learned III Additional District and Sessions Judge (PCR Cases), Madurai to consider the bail application of the petitioner and dispose the bail application on the same day, if the petitioner surrender before the III Additional District and Sessions Judge (PCR Cases), Madurai. In Crime No.657 of 2015.

For Petitioner : Mr.F.X.Eugene

For Respondent : Mr.A.P.Balasubramani, G.A.(Crl. 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(i) I.P.C. r/w Section 3 (1)(x) of SC/ST (POA) Act, 1989 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 (PCR Cases), 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 (PCR Cases), 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

/True copy/

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Sub Assistant Registrar

To

1. The III Additional District and Sessions Judge (PCR Cases), Madurai.

2. The Deputy Superintendent of Police,  
Umachikulam Circle,  
Madurai District.

3. The Inspector of Police,  
Y.Othakadai Police Station,  
Y.Othakadai,  
Madurai District.

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

+1cc to Mr.F.X.Eugene, Advocate SR.No.76249/15

sm:mpa-rr/SAR II:30.12.2015

Cr1.O.P. (MD) No.24215 of 2015