



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.12.2015

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.CHOCKALINGAM

Crl.O.P.(MD).No.24852 of 2015

1.Ashok @ Ashok Kumar
2.Thanga Durai
3.Ramasubramanian ... Petitioners/Accused 4, 6 & 8

-Vs-

State rep. By its
The Inspector of Police,
Chinnakovilangulam Police Station,
Tirunelveli District.
(Crime No.133 of 2015) ... Respondent/Complainant

PRAYER: Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned II Additional District Sessions Judge cum P.C.R Court, Tirunelveli to consider the petitioners' bail application and dispose the bail application on the same day if the petitioners surrender before the learned II Additional District Sessions Judge cum P.C.R Court, Tirunelveli in Crime No.133 of 2015 on the file of the respondent.

For Petitioners : Mr.M.Saravanan
For Respondent : Mr.A.P.Balasubramani
Government Advocate (Crl. Side)

ORDER

Heard both sides.

2. The petitioners, who apprehend arrest for the offences punishable under Sections 294(b), 323, 506(ii) I.P.C., read with Section 3(1)(x) of SC/ST (Prevention of Atrocities) Act, 1989, altered into Sections 147, 294(b), 323, 324, 506(ii) I.P.C., read with Section 3(i)(x) of SC/ST (Prevention of Atrocities) Act, 1989 in Crime No.133 of 2015 on the file of the respondent police, move this petition seeking a direction to the learned II Additional District Sessions Judge cum P.C.R Court, Tirunelveli, to accept the surrender of the petitioners and consider their bail application on the same day on merits, in relating to Crime No.133 of 2015.

3. Perused the records.

4. The offences complained of, other than the offence under the Special enactment, may not be serious in nature warranting initial detention in jail, even before considering the bail application.



5. Considering the facts and circumstances of the case, the petitioners are directed to give a notice to the concerned Public Prosecutor two days prior to the date of their surrender and on such surrender of the petitioners, the learned II Additional District Sessions Judge cum P.C.R Court, Tirunelveli 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. Accordingly, this Criminal Original Petition is ordered.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1.The II Additional District Sessions Judge
cum P.C.R Court,
Tirunelveli.

2.The Inspector of Police,
Chinnakovilangulam Police Station,
Tirunelveli District.

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

+1cc to Mr.R.J.Karthick, Advocate SR.No.76516

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NS/JGB-DP/05.01.2016 : 2P/5C