



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.04.2015

WEB COPY

CORAM:

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

Criminal Original Petition (MD) No.8514 Of 2015

1.Naganathan
2.Chinnathambi

... Petitioners/Accused 1 & 2

Vs

State rep. by
The Inspector of Police,
Thiruvegampathur Police Station,
Sivagangai District.
(Crime No.89 of 2015)

... Respondent/Complainant

PRAYER: This petition is preferred under Section 482 Cr.P.C to direct the learned Sessions Judge cum P.C.R.Court, Sivagangai to accept the surrender of the petitioners and consider his bail application on the same day in connection with Crime No.89 of 2015 on the file of the respondent police.

For Petitioners : Mr. S.M.Sanjay for
M/s.E.M.S.N.Law Associates

For Respondents : Mr.K.Anbarasan
Government Advocate (Crl.Side)

ORDER

The petitioners approach this Court to direct the learned Sessions Judge cum P.C.R.Court, Sivagangai to accept the surrender of the petitioners and consider his bail application on the same day in connection with Crime No.89 of 2015 on the file of the respondent police.

2. The petitioners are alleged to have committed an offence under Sections 294(b), 323 of IPC r/w. Sec. 3(1) (r), 3 (1) (s) of SC/ST(POA) Amendment Ordinance, 2014. It is stated by the petitioners that they are innocent.

3. The learned counsel for the petitioners would submit that the petitioners are prepared to surrender before the lower Court to co-operate with the prosecution and their petitions for bail may be ordered to be considered on the same day.



4. The learned Government Advocate (Crl. Side) would oppose the said request.

5. Considering the submission of the petitioners and considering the fact and circumstances by issuing a direction to the lower Court to dispose of the petition for bail on the same day, no prejudice would be caused to the prosecution, the following direction is issued to the lower Court:-

"In the event of the petitioners surrendering before the lower Court and their filing of petition seeking bail, the lower Court shall dispose of the said petition for bail on the same day strictly on merits and in accordance with law."

6. Accordingly, the Criminal Original Petition stands disposed of.

Sd/-
Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

To

1.The District and Sessions Judge cum P.C.R Judge
P.C.R.Court, Sivagangai.

2.The Inspector of Police,
Thiruvegampathur Police Station,
Sivagangai District.

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

+1cc to Mr. E.M.S.N. Law Associates, Sr.No.24588

pm

AA/06.05.2015/2p- 5c/

Crl.O.P(MD) .No.8514 of 2015
30.04.2015