



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.04.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

Criminal Original Petition (MD) No.8688 of 2015

WEB COPY

V.Elayaraja

... Petitioner/Accused No.I

Vs

1.The Assistant Commissioner of Police,
Office of the Assistant Commissioner,
Madurai City,
Madurai.

2.The Inspector of Police,
Mathichiam Police Station,
Madurai City,
Cr.No.13 of 2015.

... Respondents/Complainants

PRAYER: This petition is preferred under Section 482 Cr.P.C to direct the learned III Additional District & Sessions Judge(PCR), Madurai to consider the bail application of the petitioner/accused in Cr.No.13 of 2015 on the file of the respondent police and consider his bail application on the same day of surrender.

For Petitioner : Mr.B.Balamurugan

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

ORDER

The petitioner approaches this Court to direct the learned III Additional District & Sessions Judge(PCR), Madurai to consider the bail application of the petitioner/accused in Cr.No.13 of 2015 on the file of the respondent police and consider his bail application on the same day of surrender.

2. The petitioner is alleged to have committed an offence under Sections 294(b) and 506(i) of IPC r/w Section 4 of Tamail Nadu Prohibition of Women Act and 3(1)(x) of SC/ST (POA) Act, Amendment Ordinance Act, 2014. It is stated by the petitioner that he is innocent.

3. The learned counsel for the petitioner would submit that the petitioner is prepared to surrender before the lower Court to co-operate with the prosecution and his petition for bail may be ordered to be considered on the same day.

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

<https://hcservices.ecourts.gov.in/hcservices/> Considering the submission of the petitioner 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 petitioner surrendering before the lower Court and his 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(CO)

/TRUE COPY/

Sub Assistant Registrar

To

- 1.The III Additional District & Sessions Judge(PCR),
Madurai.
- 2.The Assistant Commissioner of Police,
Office of the Assistant Commissioner,
Madurai City,
Madurai.
- 3.The Inspector of Police,
Mathichiam Police Station,
Madurai City,
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.B.Bala Murugan,Advocate, SR.No. 23804

Cr1.O.P(MD).No.8688 of 2015
30.04.2015

pm
PA/11.05.2015/2P/6C