



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Criminal Original Petition (MD) No.8996 of 2015

K.Sampath

.. Petitioner/1st Accused

Vs.

The State rep. by
The Inspector of Police,
A.Mukkulam Police Station,
Virudhunagar District
(Crime No.41 of 2015)

... Respondent/Complainant

PRAYER: This petition is preferred under Section 482 Cr.P.C to direct the learned District & Sessions Judge(Protection of Civil Rights) Court, Virudhunagar at Srivilliputhur to consider the bail application filed by the petitioner on merits on the same day of his surrender before the above mentioned concerned court in pending investigation of Crime No.41 of 2015 on the file of the respondent police.

For Petitioner : Mr.V.Perumal

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

ORDER

The petitioner approaches this Court to direct the learned District & Sessions Judge (Protection of Civil Rights) Court, Virudhunagar at Srivilliputhur to accept the surrender of the petitioner and consider the bail application on the same day on merits in relating in Crime No.41/2015 pending investigation on the file of the respondent.

2. The petitioner is alleged to have committed an offence under Section 294(b), 323, 324 and 506(ii) IPC r/w 3(1)(r)(s), 3(2)(va) of SC/ST Amendment Ordinance Act. 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.

5. 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."

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

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1.The District & Sessions Judge (Protection of Civil Rights) Court,
Virudhunagar at Srivilliputhur

2.The Inspector of Police,
A.Mukkulam Police Station, Virudhunagar District

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

+1cc to M/S. V.Perumal, Advocate in SR.No 35767

+1cc to M/S. A.Rajini, Advocate in SR.No 35842

TS/08.07.2015/2P -6C

Cr1.O.P(MD).No.8996 of 2015

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