



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.06.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Cr1.O.P(MD) No.9184 of 2015

1.Veerabathiran

2.Kathirvel

... Petitioners/Accused 3 and 4

Vs.

1.The Deputy Superintendent of Police,
Manamadurai, Sivagangai District.

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

... Respondents

PRAYER: This petition is preferred under Section 482 Cr.P.C to direct the learned Principal Sessions Judge cum Special Judge for P.C.R.Cases, Sivagangai District to consider the bail application of the petitioners/Accused 3 and 4 if any filed by them on their surrender on the same day in Crime NO.183 of 2015, on the file of the second respondent police.

For Petitioners : Mr.R.Srinivasan

For Respondents : Mrs.S.Prabha
Government Advocate (Cr1.Side)

O R D E R

The petitioners approach this Court with a prayer to direct the learned Principal Sessions Judge cum Special Judge for P.C.R.Cases, Sivagangai District to consider the bail application of the petitioners/Accused 3 and 4 if any filed by them on their surrender on the same day in Crime NO.183 of 2015, on the file of the second respondent police.

2. The petitioners are alleged to have committed an offences under Sections 294(b), 323 I.P.C. r/w 3(1)(r) (s) SC/ST P.A. Act, Amendment Ordinance Act, 2014 and 4 of TNPHW Act. 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 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 facts and circumstances of the case and also considering the submissions of the learned counsel for the petitioners 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 learned Principal Sessions Judge cum Special Judge for P.C.R.Cases, Sivagangai District and their filing of petition seeking bail, the learned Principal Sessions Judge cum Special Judge for P.C.R.Cases, Sivagangai District shall dispose of the said petition for bail on the same day strictly on merits and in accordance with law."

Accordingly, the Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1.The Principal Sessions Judge cum Special Judge for P.C.R.Cases,
Sivagangai District

2.The Deputy Superintendent of Police,
Manamadurai, Sivagangai District.

3.The Inspector of Police,
Thiruppuvanam Police Station,
Thiruppuvanam, Sivagangai District.

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

Ssl

SR/PRV : 16.06.2015 : 2p/5c

Crl.O.P (MD) No.9184 of 2015
11.06.2015