



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.06.2010

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

WEB COPY Criminal Original Petition (MD) No.9635 of 2015

1.Rajesh

2.Selvaraj

... Petitioners

Vs

The State rep. By its  
The Inspector of Police,  
Nazereth Police Station,  
Tuticorin District  
(Crime No.128/2015)

... Respondent

**PRAYER:** This petition is preferred under Section 482 Cr.P.C to direct the II Additional District Courtf (PCR wing) Tirunelveli, to accept the surrender of the petitioners and consider the bail application on merits on the date of surrender in Cr.No.128 of 2015, on the file of the Inspector of Police, Nazereth Police Station, Tuticorin District.

For Petitioner : Mr.S.Senthil Sankara Nathakumar

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

### ORDER

The petitioner approaches this Court to direct the II Additional District Courtf (PCR wing) Tirunelveli, to accept the surrender of the petitioners and consider the bail application on merits on the date of surrender in Cr.No.128 of 2015, on the file of the Inspector of Police, Nazereth Police Station, Tuticorin District.

2. The petitioners are alleged to have committed an offence under Sections 294(b), 323, 324 and 506(ii) of IPC r/w. Sec. 3(i) (x) of SC/ST (POA) Act 1989. 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(RTI)

/True copy/

Sub Assistant Registrar

MPK

**To**

1.The II Additional District Courtf (PCR wing),  
Tirunelveli,

2.The Inspector of Police,  
Nazereth Police Station,  
Tuticorin District

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

+1cc to Mr.S.Senthil Sankara Nathakumar,Advocate in sr no.27219

Cr1.O.P(MD) .No.9635 of 2015  
03.06.2015

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