



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.06.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

WEB COPY

Criminal Original Petition (MD) No.9713 of 2015

1.M.Bhaskaran

2.B.Thirtham

...Petitioners/Accused 1 & 2

Vs.

The State rep. By its
The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District
(Cr.No.154/2015)

...Respondents/Complainant

PRAYER: This petition is preferred under Section 482 Cr.P.C to direct the Hon'ble District and Sessions Judge (PCR Cases) Sivagangai, to consider the bail application on the surrender of the petitioners / accused on the same day in connection with Crime No.154 of 2015, on the file of the respondent police, on merits on the same day.

For Petitioners : Mr.J.Jeyakumaran

For Respondent : Mr.K.Anbarasan

Government Advocate (Crl.Side)

ORDER

The petitioners approached this Court to direct the learned District and Sessions Judge (PCR Cases), Sivagangai, to consider the bail application on the surrender of the petitioners / accused on the same day in connection with Crime No.154 of 2015, on the file of the respondent police, on merits on the same day.

2. The petitioners are alleged to have committed an offence under Sections 294(b) and 323 of IPC r/w. Sec. 3(i) (r) of SC/ST (POA) Ordinance Amendments Act, 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 the 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/

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Sub Assistant Registrar

To

1.The District and Sessions Judge (PCR Cases) Sivagangai

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

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

+1cc to Mr.J.Jeyakumaran, Advocate in SR.27216

Cr1.O.P(MD).No.9713 of 2015
03.06.2015

mpk

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