



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.06.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

WEB COPY

Criminal Original Petition (MD) No.9939 of 2015

Periyasamy

... Petitioner/Accused No.2

Vs

The Inspector of Police,
Aayeekkudi Police Station,
Tirunelveli District.
(Crime No.87 of 2015)

..Respondent/Complainant

PRAYER: This petition is preferred under Section 482 Cr.P.C to direct the learned II Additional Sessions Judge for SC/ST (Prevention of Atrocities Act) PCR Court, Tirunelveli to consider the bail application of the petitioner on the same day of his surrender in Crime NO.87 of 2015 on the file of the respondent police and pass such other or further orders as this Court deems fit and proper in the circumstances of this case.

For Petitioners : Mr.R.John Sathyan

For Respondent : Mr.K.Anbarasan

Government Advocate (Crl.Side)

ORDER

The petitioner approaches this Court to direct the learned II Additional Sessions Judge for SC/ST (Prevention of Atrocities Act) PCR Court, Tirunelveli, to consider the bail application on the same day in the event of the petitioner surrender before the Learned learned II Additional Sessions Judge for SC/ST (Prevention of Atrocities Act) PCR Court, Tirunelveli, in connection with Crime No.87 of 2015 pending on the file of the respondent police.

2. The petitioner is alleged to have committed an offence under Sections 294(b), 506(ii) of IPC and 306 r/w 511 IPC and Section 3(i)(x) of SC/ST 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 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 petitioner surrendering before the lower Court, on 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/

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Sub Assistant Registrar

To

- 1.The II Additional Sessions Judge for SC/ST
(Prevention of Atrocities Act) PCR Court, Tirunelveli
- 2.The Inspector of Police,Aayeekkudi Police Station,Tirunelveli District.
- 3.The Additional Public Prosecutor, Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.R.Johnsathyan, Advocate in SR.288345

Cr1.O.P(MD).No.9939 of 2015
05.06.2015

ses.

Pbk/amf 10/06/2015 ::2p-5c: