



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.08.2015

CORAM:

THE HONOURABLE MS.JUSTICE K.KALYANASUNDARAM

Criminal Original Petition (MD) No.16212 of 2015

1. Indhru
2. Chellapandi

.. Petitioners/Accused 1 and 2

Vs.

The Inspector of Police,
Thevathanapatti Police Station,
Periyakulam,
Theni District.
(Crime No.438 of 2015)

... Respondent/Complainant

PRAYER: This Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the learned Principal District and Sessions Judge (Special Court for PCR Cases), Theni to accept the petitioners' surrender and consider their bail application on the same day in connection with Crime No.438 of 2015 on the file of the respondent police.

For Petitioners : Mr.J.Senthil Kumariah

For Respondent : Mrs.S.Prabha

Government Advocate (Crl.Side)

O R D E R

Heard both sides.

2. The petitioners, who apprehend arrest for the offences punishable under Sections 294(b), 324, 427, 506(ii) of I.P.C., r/w. Section 3(1) (x) of SC/ST Act (Prevention of Atrocities) Act, 1989 in Crime No.438 of 2015 on the file of the respondent police, move this petition seeking a direction to the learned Principal District and Sessions Judge (Special Court for PCR Cases), Theni to accept the surrender of the petitioners and consider their bail application on the same day on merits.

3. Perused the records.

4. It is represented by the learned counsel for the petitioners that the first petitioner was already arrested and released on bail.

5. Heard the learned Government Advocate (Criminal side).



6. The offences complained of, other than the offence under the Special enactment, may not be serious in nature warranting initial detention in jail, even before considering the bail application.

7. Therefore, the learned Principal District and Sessions Judge (Special Court for PCR Cases), Theni is directed to accept the surrender of the second petitioner and consider his bail application on the very same day purely on the basis of merits and in accordance with law.

This Criminal Original Petition is ordered accordingly.

Sd/-

Assistant Registrar (C.O.)

/True Copy/

Sub Assistant Registrar

To

1. The Principal District and Sessions Judge,
(Special Court for PCR Cases),
Theni.
2. The Inspector of Police,
Thevathanapatti Police Station,
Periyakulam,
Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.J.Senthil Kumariah, Advocate Sr.No.48400

akm/26.08.15 /2p-5c/

Cr1.O.P(MD).No.16212 of 2015

21.08.2015