

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.04.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Cr1.O.P.No.8901 of 2016

R.Eswaran

... Petitioner

Vs.

State. Rep by

The Inspector of Police,  
Elachipalayam Police Station,  
Namakkal District,  
(Crime No.77 of 2016).

... Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned Principal Sessions Judge, Namakkal to consider the bail application of the petitioners herein in Crime No.77 of 2016 on the file of the respondent police, on the same day of surrender.

For Petitioner : Mr.V.P.Sengottuvel

For Respondent : Mr.C.Emalias  
Additional Public Prosecutor

ORDER

Heard both sides.

2.The petitioner, who apprehends arrest for the offences punishable under Sections 294 (b) and 323 of IPC r/w. 3(1)(x) of SC & ST (Prevention of Atrocities) Act, 1989 in Crime No. 77 of 2016 on the file of the respondent police, move this petition seeking a direction to the learned Principal Sessions Judge, Namakkal, to accept the surrender of the petitioner and consider his bail application on the same day on merits.

3.Perused the records.

4.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.

5. Therefore, the learned Principal Sessions Judge, Namakkal, is directed to accept the surrender of the petitioner and consider his bail application on the very same day purely on the basis of merits and in accordance with law. Accordingly, this Criminal Original Petition is ordered.

Sd/-  
Asst.Registrar (CS VII )

/true copy/

Sub Asst. Registrar

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To

1.The Principal Sessions Judge,  
Namakkal.

2.The Inspector of Police,  
Elachipalayam Police Station,  
Namakkal District,  
(Crime No.77 of 2016).

3.The Public Prosecutor  
High Court, Madras.

1 cc to Mr.V.P. Sengottuvel, Advocate, Sr. 24890

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EV (CO)  
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