



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.01.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Crl.O.P(MD)No.24516 of 2015

Essakkimuthu

: Petitioner

Vs.

The Inspector of Police,
Ambasamudram Police Station,
Tirunelveli District
In Crime No.406 of 2012

: Respondent

PRAYER: Criminal Original Petition is filed under Section 482 Cr.P.C., praying to direct the learned II Additional District and Sessions Judge (PCR Court), Tirunelveli, to accept the surrender of the petitioner and consider his bail application on the same day on merits in relating to P.R.C.No.56 of 2015, dated 06.08.2015 on the file of the II Additional District and Sessions Judge, Tirunelveli.

For Petitioner : Mr.S.R.A.Ramachandran

For Respondent : Mr.A.P.Balasubramani,
Government Advocate (Crl.Side).

ORDER

The petitioner, who apprehends arrest for the offences punishable under Sections 147, 148, 294(b), 307 and 379(NP) r/w Section 3(1)(x) & 3(2)(V) of SC/ST POA Act, 1989, in Crime No.406 of 2012, on the file of the respondent police, moved this petition seeking a direction to the II Additional District and Sessions Judge (PCR Court), Tirunelveli, to accept the surrender of the petitioner and consider the bail application on the same day on merits.

2.I have heard the learned counsel appearing on either side and perused the records.

<https://hcservices.ecourts.gov.in/hcservices/>

3.The learned Government Advocate (Criminal side) strongly opposed the relief sought for by the petitioner.



4.A cursory look at the offences would reveal that some of the offences are grave in nature, including the one registered under the Special Enactment. Therefore, it is for the Trial Court to consider as to whether initial detention of the petitioner is absolute and warranted on his surrender before it.

5. Therefore, the II Additional District and Sessions Judge (PCR Court), Tirunelveli, is directed to accept the surrender of the petitioner and consider his bail application purely on merits and in accordance with law.

6. Accordingly, this Criminal Original Petition is ordered.

Sd/-

Assistant Registrar(C.O)

/True Copy/

Sub-Assistant Registrar

To

1. The II Additional District and Sessions Judge (PCR Court), Tirunelveli,
2. The Inspector of Police,
Ambasamudram Police Station,
Tirunelveli District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+One cc to Mr.S.R.A.Ramachandran, Advocate, SR.No.1213

MPK

RL/5C/SK/SKN/SARII/12/1/2016

ORDER MADE IN
Crl.O.P (MD) No.24516 of 2015