



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.01.2016

CORAM:

THE HONOURABLE MR.JUSTICE **S.VAIDYANATHAN**

Cr1.O.P(MD)No.1201 of 2016

1.Periyamaruthu
2.Ajeeth
3.Kosumandaiyan @ Dharma @ Dharmenthiran
4.Raja @ Puliraja : Petitioners

Vs.

The State Through
The Inspector of Police,
Melur Police Station,
Melur Taluk,
Madurai District
(Crime No.1002 of 2015) : Respondent

PRAYER: Criminal Original Petition is filed under Section 482 Cr.P.C., praying to direct the learned III Additional District and Sessions Judge (PCR), Madurai District to consider the bail application of the petitioners on the same day on merits and in accordance with law in the event of their surrender of the petitioners in connection with the Crime No.1002 of 2015 pending investigation on the file of the respondent police.

For Petitioners : Mr.S.J.Chakkaravarthy
For Respondent : Mr.A.P.Balasubramani,
Government Advocate (Cr1.Side).

ORDER

The petitioners, who apprehend arrest for the offences punishable under Sections 147, 294(b), 323 and 506(ii) of IPC., r/w Section 3(1)(X) of SC/ST Act., in Crime No.1002 of 2015 on the file of the respondent police, move this petition seeking a direction to the III Additional District and Sessions Judge (PCR), Madurai District, to accept the surrender of the petitioners and consider their bail application on the same day on merits.

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

3. The 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 petitioners is absolute and warranted on their surrender before it.

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5.Taking note of the submission made by the counsel for the petitioner, the III Additional District and Sessions Judge (PCR), Madurai District, is directed to accept the surrender of the petitioners and consider their bail application on the very same day purely on the basis of merits and in accordance with law.

6.Accordingly, this Criminal Original Petition is ordered.

Sd/-

Assistant Registrar(T&P)

/True copy/

Sub Assistant Registrar
Madurai Bench of Madras High Court,
Madurai.

MPK

To

1.The III Additional District and
Sessions Judge (PCR),
Madurai District

2.The Inspector of Police,
Melur Police Station,
Melur Taluk,
Madurai District

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

+1 cc to Mr.S.T.Chakkaravarthy,Advocate Sr No.4041

ORDER MADE IN
Cr1.O.P(MD)No.1201 of 2016
22.01.2016

rg.PM-MP/SAR-I 29.01.2016 2P/5C