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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.01.2016

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Crl.O.P(MD)No.1654 of 2016

Palanikumar @ Palani : Petitioner

Vs.

The State rep.by its
The Sub Inspector of Police,
Appanthirupathi Police Station,
Madurai

(Crime No.41 of 2015) : Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 482 Cr.P.C., praying to direct the learned III Additional District and Sessions Court (PCR Cases) Madurai, to accept the surrender of the petitioner and to consider the bail application on the same day in connection with Crime No.41 of 2015 on the file of the respondent police.

For Petitioner : Mr.M.Chandra Bose
For Respondent : Mrs.S.Prabha
Government Advocate (Crl.Side)

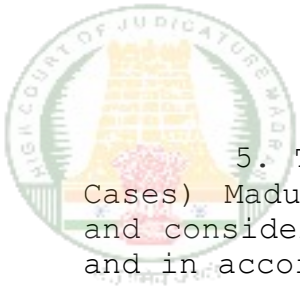
O R D E R

The petitioner, who apprehends arrest for the offences punishable under Sections 147, 148, 323 and 506(ii) of IPC., r/w. Section 3(1)(r), 3(1)(s) SC/ST Amended Ordinance Act, 2014 in Crime No.41 of 2015, on the file of the respondent police, moved this petition seeking a direction to the III Additional District and Sessions Court (PCR Cases) Madurai, 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.

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 or not.



5. Therefore, the III Additional District and Sessions Court (PCR Cases) Madurai, is directed to accept the surrender of the petitioner and consider his bail application on the very same day, purely on merits and in accordance with law.

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6. Accordingly, this Criminal Original Petition is ordered.

Sd/-
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

MPK
To

- 1.The III Additional District
and Sessions Court (PCR Cases)
Madurai
- 2.The Sub Inspector of Police,
Appanthirupathi Police Station,
Madurai
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.M.Chandra Base Advocate Sr.No.5943

GJM/PM/MP/5.2.16-2p-5C

Order made in
Cr1.O.P(MD)No.1654 of 2016
Dated:-29.01.2016