



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2016

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

Cr1.O.P.(MD)No.8551 of 2016

WEB COPY

1.R.Praba @ Praba Manieswari

2.Selvanayagi

3.S.Uma Maheswari

..Petitioners

Vs.

1.State through

The Sub Inspector of Police,
Tiruchendur Police Station,
Thoothukudi District,
Crime No.203/2016.

2.The Deputy Superintendent of Police,
Tiruchendur.

..Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the Learned Second Additional District Court /PCR Court, Tirunelveli to consider Bail Application on the same day of surrender.

For Petitioners : Mr.A.Thiruvadikumar for Mr.S.Murugainan
For Respondents : Mr.A.P.Balasubramani,
Government Advocate (Criminal side)

ORDER

It is an application seeking a direction to the Second Additional District Court /PCR Court, Tirunelveli to consider the bail application of the petitioners on the same day of surrender.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Cr1. Side) for the respondent.

3. The case in Crime No.203 of 2016 has been originally registered against the petitioners under Sections 306 IPC and 3(1)(x) of SC/ST Act and later on altered into Section 174 of Cr.P.C., and 306 IPC and 3(1)(x), 3(2)(v) of SC/ST (POA) Act, 1989.

4.According to the learned counsel for the petitioners the deceased who is an M.Sc., Graduate, wrote examination on 27.05.2016 and thereafter committed suicide and the petitioners herein have nothing to do with the suicide committed by the deceased.

5.The learned Government Advocate (Criminal Side), on instructions, would submit that dying declaration has been recorded just prior to the death. But the learned counsel for the petitioners would submit that dying declaration did not implicate the accused persons herein.



6. Under such circumstances, the Second Additional District Court/PCR Court, Tirunelveli is directed to consider the bail application of the petitioners and pass orders on merits on the same day of their surrender. It is open to the respondent to produce dying declaration before the said Court which deals with the bail application.

7. With the above direction, this petition is disposed of.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar(CS)
Madurai Bench of Madras High Court,
Madurai-23.

To

1. The Second Additional District Court/PCR Court,
Tirunelveli.

2. The Sub Inspector of Police, Tiruchendur Police Station,
Thoothukudi District.

3. The Deputy Superintendent of Police,
Tiruchendur.

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

+1cc to M/s.S.Murugaian, Advocate in SR.29341

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mj

PBK/GSV-PM/SAR-II 13/06/2016 ::2P-6C:: (IT)