



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.06.2016

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

Crl.O.P.(MD).No.9080 of 2016

Saravanan

.. Petitioner

Vs.

1.The Deputy Superintendent of Police
Kottaipattinam,
Pudukottai District

2.The Inspector of Police,
Kottaipattinam Police Station,
Pudukottai District

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the learned Principal District and Sessions Judge, PCR Court, Pudukottai under the SC/ST Act to consider the bail application on surrender of the petitioner in connection with SC No.31 of 2008 on the file of the learned Principal District and Sessions Judge, PCR Court, Pudukottai on the same day.

For Petitioner : Mr.M.Suresh

For respondents : Mr.A.P.Balasubramani
Government Advocate(Criminal side)

ORDER

This application has been filed seeking a direction to the Court, which is dealing with the SC/ST Act cases to consider the bail application on the day of surrender itself.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondents.

3.The petitioner is the sole accused in respect of the offences under Sections 341, 294(b), 323 IPC and r/w 3 (1)(x) of SC/ST Act. Due to non appearance of the petitioner before the learned Principal District and Sessions Judge, PCR Court, Pudukottai, non bailable warrant came to be issued against the petitioner. It is submitted that the non appearance was not willful and it was for reasons beyond the control of the petitioner.



4.The learned Government Advocate (Crl. Side) would submit that the lower court may be directed to consider, enforcing stringent conditions, while ordering the bail application so as to avoid further delay and further recurrence.

5.Under such circumstances, the Principal District and Sessions Judge, PCR Court, Pudukottai, is directed to consider the bail application of the petitioner and pass orders on merits on the same day of his surrender.

6. It is made clear that if the accused continues to exhibit this conduct, any further request on similar lines would not be entertained by this Court in future.

With the above direction, this petition is disposed of.

Sd/-

Assistant Registrar(CS II)

/True copy/

Sub Assistant Registrar

To

1.The Principal District and Sessions Judge, PCR Court,
Pudukottai.

2.The Deputy Superintendent of Police, Kottaipattinam,
Pudukottai District.

3.The Inspector of Police,
Kottaipattinam Police Station, Pudukottai District

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

+1cc to Mr.M.Suresh, Advocate SR.No.29713

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Crl.O.P(MD)No.9080 of 2016
13.06.2016