



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.09.2018

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD)No.15957 of 2018

G.Pandi Ganapathy

... Petitioner / Accused No.1

Vs.

1.The Superintendent of Police,
Central Prison,
Madurai.

2.The Inspector of Police,
Thideer Nagar Police Station,
Madurai City.
(Crime No.519/2018)

... Respondents / Complainant

PRAYER:- Petition - filed under Section 482 of the Criminal Procedure Code, to direct the first respondent to permit the petitioner to write the examination of Mathematics - I subject Scheduled to be taken place on 06.09.2018 at the Regional Center of Anna University at Madurai.

For Petitioner : Mr.R.Anand

For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. Side)

ORDER

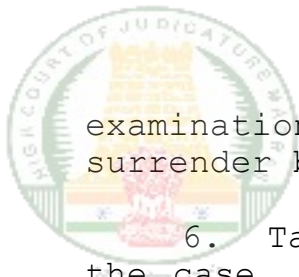
The petitioner has been arrested by the second respondent on 25.08.2018 for alleged offence under Section 306 IPC, pending investigation in Crime No.519 of 2018.

2. The learned counsel appearing for the petitioner submits that already a bail petition was filed before the Magistrate Court and the same was dismissed today.

3. The petitioner has to file a bail petition before the Sessions Court and only thereafter, approach this Court, if in case, the Sessions Court also dismisses the bail petition.

4. The learned counsel would submit that the petitioner has to write an exam on 06.09.2018 at the Regional Center of Anna University at Madurai. He would further submit that the petitioner may be permitted to write the examination on 06.09.2018 and thereafter the petitioner will again surrender before the Central Prison, Madurai and thereafter, the petitioner will work out his remedies by filing an appropriate bail petition before the Sessions Court.

5. The learned Government Advocate (Crl. Side) would submit that this Court cannot directly entertain the bail application, since the petitioner has not approached the Sessions Court. He would further submit that the petitioner can be allowed to take the



examination on 06.09.2018 and thereafter, he may be directed to surrender before the Central Prison, Madurai on the very same day.

6. Taking into consideration of the facts and circumstances of the case, this Court is inclined to permit the petitioner to write the examination, scheduled to take place on 06.09.2018 at the Regional Center of Anna University at Madurai. The first respondent is directed to temporarily release the petitioner on 05.09.2018 at 05.30 p.m., from the Central Prison, Madurai and permit the petitioner to go to his residence at No.L2/96, Railar Nagar, Koodalpudhur, Madurai, accompanied by escort police. Then, the petitioner has to stay at his house till 08.00 a.m., on 06.09.2018. Thereafter, he has to directly go to the Regional Center of Anna University at Madurai, accompanied by the escort police and take his examination. Immediately, on completion of the examination, the petitioner shall directly go to the Central Prison, Madurai, and surrender before the first respondent.

7. It is made clear that all through the petitioner will be accompanied by the escort police and the petitioner shall scrupulously abide by the conditions imposed by this Court.

8. This Criminal Original Petition is disposed of with the above directions.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar (CS-III)

To

1.The Superintendent of Police,
Central Prison, Madurai.

2.The Inspector of Police,
Thideer Nagar Police Station, Madurai City.

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

+1CC TO MR.R.ANAND , ADVOCATE IN SR.No.88145.

SM

DS SV SAR-3;04.09.2018; 2P/5C

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