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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.10.2011

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

Crl.O.P. (MD) .No.14182 of 2011

Jeyaraj

... Petitioner/Accused No.4

Vs

State through
The Sub-Inspector of Police,
Kulasekarapattinam Police Station,
Thoothukudi District.
(Crime No.265 of 2011)

... Respondent/Complainant

PRAYER: This petition is preferred under Section 482 Cr.P.C to direct the learned Additional District Judge(PCR),Tirunelveli to consider the bail application to be filed by the petitioner on the same day of his surrender on merits in Crime No.265 of 2011 on the file of the respondent police.

For Petitioner : Mr.Siva Ayyappan

For Respondent : Mr.P.Kannidevan
Government Advocate(Crl. Side)

ORDER

The petitioner seeks for a direction to the lower Court to accept the surrender of the petitioner and may consider his bail application on the same day in Crime No.265 of 2011, pending on the file of the respondent police.

2. The petitioner is alleged to have committed an offence under Sections 294(b), 323 and 307 I.P.C and Section 3 (2)(V) of the S.C. & S.T(POA) Act. It is stated by the petitioner that he is innocent.

3. The learned counsel for the petitioner would submit that the petitioner is prepared to surrender before the lower Court to co-operate with the prosecution and his petition for bail may be ordered to be considered on the same day.

4. The learned Government Advocate (Crl. Side) would oppose the said request.

<https://hcservices.ecourts.gov.in/hcservices/>

5. Considering the submission of the petitioner that he is innocent and considering the fact that by simply issuing a



direction to the lower Court to dispose of the petition for bail as expeditiously as possible, no prejudice would be caused to the prosecution, the following direction is issued to the lower Court:-

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"In the event of the petitioner surrendering before the lower Court and his filing of petition seeking bail, the lower Court shall dispose of the said petition for bail as expeditiously as possible, strictly on merits and in accordance with law. Accordingly, the Criminal Original Petition stands disposed of."

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The Additional District Judge (PCR),
Tirunelveli.
2. The Sub-Inspector of Police,
Kulasekarapattinam Police Station,
Thoothukudi District.
3. The Addl. Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr. Siva Ayyappan, Advocate Sr.No.37414

pm

ssk/04.11.2011 /5c-2p/-

Cr1.O.P. (MD) .No.14182 of 2011

31.10.2011